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A MAN O' WAX

LAURA M. DAKE

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A MAN O' WAX.

BY

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DEDICATED

TO

MARSHALL P. WRIGHT.

A MAN O' WAX.

CHAPTER I.

"A man, young lady! Lady, such a man
As all the world! Why, he 's a man o' wax.
Nay, he 's a flower, in faith, a very flower."

SHAKESPEARE.

It is the year of grace 1845. Philip Bee, a young attorney, sits in his office, his chair tilted back, his feet on a table, and a half-smoked cigar between his lips. His eyes, however, are not on his book, for he is idly watching the crowd in front of the store across the street, who are waiting the arrival of the tri-weekly mail, meantime gravely discussing the recent defeat of Henry Clay, or listening with eager attention to Uncle Jack Lupton's predictions regarding the weather, based upon the breast of a goose, sacrificed annually in the interest of science. Every face in the assemblage is familiar to Philip, for he had been born in Waxhaw. During his boyhood days he had thought the Osage was the loveliest river, and Missouri the most desirable spot, in all the world.

But, four years at an Eastern college, followed by a tour of Europe, has changed his views, and now, as he watches his fellow-citizens, an expression of disdain crosses his handsome face, and he wonders if it will be possible for him to settle down to the narrow life of this obscure village, even though such is the wish nearest the hearts of his parents.

"How tiresome it all is!" he thinks. "The same old crowd, with the same threadbare jokes."

"There is old Uncle Zimri holding Colonel Mead's horse, and the Colonel himself, in the same old-time coat

and silk hat, pompous and proud; there are the butcher, the baker, and the jolly shoemaker; there is old Billy Wigs, the town drunkard, and his Scotch terrier, Trip; and there is Ben Canada, 'the best man on earth,' and landlord of the Canada House, 'the best tavern,'—so every one says, at any rate. Yes, there they all are, and will be, until, one by one, they follow each other to the boneyard, and even after their bodies are under the sod, their ghosts will come back three times a week and wait for the stage. Has fate written my name on the same list?"

As Philip sits moodily revolving these and similar thoughts, the notes of a horn, loud and clear, are heard, and, shortly after, up dashes the expected coach, its jaunty driver, the four grays, and the mail-bags equally dividing the attention of the expectant crowd.

Presently, Philip's father enters the office, and with him comes Fate, in the shape of a letter. As Philip reads it, a new light springs into his eyes. It is from his college chum, Charley Wild, who has joined Frémont's expedition. "Hurrah for the new Eldorado!" he writes. "In a week we shall be on our way; will you not come, too, Phil? Surely, surely, you must be weary hibernating in winter and vegetating in summer. You might as well be a grizzly, or a head of cabbage," etc.

The letter is replete with contagious enthusiasm, such as youth indulges when life, so full of bright possibilities, lies all untried before it.

Judge Bee notices the change in his son's face, and asks, "What is it, Phil? Have you good news?"

"Glorious, glorious news," he cries, waving the letter above his head. "Just read this letter from Charley Wild. He is off with Frémont for California, and wants me to join him. Of course I shall—I must go; I just can't settle down in Waxhaw until I—" he was going to

say, "have had another fling with the world," but, catching his father's troubled eyes, says, instead, "have seen something of the western half of our big country. That will round up my education, as it were, and I shall be able to better represent my constituents when I go to Congress."

Philip knew his father's weak point, and the last sentence produced the effect intended.

"True, my son, very true," replied the Judge. "A Western man should know the needs of the West, and I must not let my personal feelings stand in your light. But it will be a sad blow to your mother to part with you so soon, Philip; we had hoped—"

The Judge's voice was growing pathetic; so Philip interrupted him cheerily, "Why, father dear, I shall be away only two years. Before you fairly realize it, here comes your prodigal son home again, to eat the fatted calf and settle down in earnest."

"But what will Agnes say to it, my son?"

"Agnes? Oh, Agnes will agree with me in this as she does in everything. I shall soon make it all right with Agnes. And now I must hurry up and be off by the morning coach, if I catch Charley as he proposes."

Philip is heartily glad of his hurried preparations, since he considers protracted leave-taking a bore, and is so highly elated at the prospect of his journey, that he gives no serious thought to those who will grieve for his absence. Chief among these is Agnes Carew, who has been his sweetheart since early childhood.

"The course of true love" had run very smoothly in their case, at least, with not a ripple to mar its harmony.

True enough, though, while Philip was a student "away down East," he had enjoyed many a flirtation with many a pretty summer girl, and when those days

were ended, and he was packing, to leave them behind him and begin life again in old Missouri, his heart had been brimful of tender regrets as he watched the flames consume the bundles of sweet "missives" (tied with blue ribbons, in true-lovers' knots) in which more than one warm-hearted damsel had "told her love." But Agnes was blissfully ignorant of all this, and Philip thought that Shakespeare's remark about "the cup in which a spider has been steeped" was full of wisdom.

Still, he is very fond of Agnes, and tells himself, over and over, that she is the sweetest girl in all the world; and now, as he is on his way to bid her good by, for the moment he feels a tender regret at leaving her.

The big May moon is swinging up from behind the black hills as he reaches the gate. On each side of the long walk leading up to the spacious house is a lilac hedge, now in full bloom, and filling the night air with fragrance. As he pauses to pluck a spray, he sings very softly,—

"O, were my luv yon lilac fair,
Wi' purple blossoms in the spring,
And I a bird to shelter there,
When weary on my little wing,
How I wad mourn, gin I were torn,
By autumn wild and winter rude,
But I wad sing on wanton wing,
When youthful May my bloom renewed.

"O, gin my luv were yon red rose"—

"No, no, Philip; red roses bring thoughts of death," says Agnes, catching the last words as she comes to meet him; and slipping her slender hand into his broad palm, she lifts her eyes to his as she speaks. Even in the moonlight she can discern the change the coming journey has made in his face. The bored expression, so habitual to it, is gone, and a new light shines in his eyes.

"What is it, Phil? What has happened?" she asks.

"Nothing has happened as yet, Agnes," he replies; "but who can tell what the morrow may bring? Come and sit beside me, here, on this bench, and listen to some good news that I have to tell you."

Philip has the gift of a silver tongue, and Agnes scarcely knows whether to weep or to smile as he unfolds his plans to her. He had seen the Old World, with its effete aristocracies, its back-bending sycophants, its servile conventionalities, and had learned its lessons well. Now he longs to come face to face with the free, adventurous life as it is in the Far West, and thus round out an otherwise incomplete education.

To read of this is not enough; he must see it as it actually exists, become a part of it through personal exprience; and, having done so, he will be ready to settle down in earnest. Then, if his own ambition and the ambition his friends have cherished for him is fulfilled, and he is called upon to sit in the high places, he will be able to girdle the earth in thought, and meet intelligently any emergency that may arise.

Also,—but only as a secondary consideration,—are the alluring possibilities of wealth. Those Western mountains are believed to be seamed with gold, and the river beds to be studded with precious jewels, that simply await a discoverer. Only two short years, and he will return, then, like the prince and princess in fairyland, "they will be married, and live happily ever after."

A confused vision of vast plains, snowy mountains, wild beasts, and painted savages, with Philip as a central figure, flits through Agnes's brain, while, like a sad strain that ever and anon reveals itself amid the clatter and clash and jingle of an opera, runs the thought that he no longer will be a part of her daily life.

"Oh, Phil," she says, as soon as she can find words;

"two years is a long time! What may *not* happen in two years?" Her soft voice trembles, but she bravely keeps back her tears. If it is best for Philip, she will not annoy him by weeping. There will be time enough for that when he is far away.

Utterly self-absorbed, he little understands the grief of this young, unselfish soul, whose every hope is bound up in him. Thinking and talking only of himself, he is surprised to hear the clock in the hall strike the hour of ten,—a signal for his departure, since there is still much to be done in the way of preparations for his journey, and his parents are sadly awaiting him.

Agnes summons all her courage and appears very brave, although her fond heart is heavy as lead. Philip has never understood her quiet, undemonstrative nature, and has always attributed her submission to the will of others as a lack of will-power on her own part. He often told himself that this was her greatest charm, and was as it should be, and as God had intended woman to be.

And Agnes, knowing that, above all things, her lover dreaded heroics, either on or off the stage, holds her feelings well in hand, and gives him no reason to complain. "How sorry father will be to lose you, Phil," she says gently, as they rise. "Come in a minute, and say good by to him."

As they walk arm in arm towards the house, Agnes detaches from a chain she wears around her neck, a small golden anchor, on which her name is engraved. She timidly slips it into his hand, saying, "Wear this as a charm on your watch-chain, Phil, and when you see it, think of me."

"Think of you, Agnes darling! I shall not need charms to remind me that the sweetest girl in all the world is waiting for me here in old Missouri. But I shall wear the charm, and when I come back I will bring gold

enough to make a dozen such, besides diamonds and rubies to set them with."

"When you come back," repeated Doctor Carew, as the two enter the cool, cheerful library. "Whither bound now, Philip?"

Then the news of the sudden journey is retold, the last farewells are said, and Philip is gone.

At early dawn, as Agnes lies in her pretty bed, she hears the melodious notes of the horn, which tell her that the stage-coach, bearing her lover away, is already upon the highway. She springs to the window just in time to catch a glimpse of it as it sweeps around a wooded hill and is lost to sight. Then she fully realizes that Philip is gone, and stands staring at the distant highway, as one dazed, yet vaguely wondering how she shall fill the weary hours that must pass until his return, if indeed he should escape the dangers of such a journey and ever come back to her.

CHAPTER II.

"Now ware you, sirs, and let this man have room."
SHAKESPEARE.

LEAVING unchronicled the "hair-breath 'scapes" that befell our two young Missourians on their journey across the Western wilds, we find them, a year later, in the heart of a Californian forest. Once more it is May, and, surrounded by their jovial companions, they are lounging around a glowing camp-fire. The ruddy glare from the blazing pine logs falls full upon the carcass of a huge grizzly suspended from the limb of a tree, near which stands a youthful pioneer recounting the adventure that led to its death.

"Shure and I thought me last moment had come," he was saying, "whin the big baste coom tearin' afther me. I had joost sint me last shot into a flock o' geese, wid no time left to load, so I drophed me gun and wint for the nearest three, and not a minute too airly, ayther, for Misther Bruin was close at me heels. D' ye mind thim throusers, now?" he asked, pointing to the leg of one that was minus a strip from knee to ankle.

"'T was wan of thim claws done that, shure, but I oop wid me other fut, and dealt him such a gintle tap on the snoot, that he dhrapped down and made a remark in bear langwidge that I dassent repate in the prisence of the Colonel" (indicating Frémont).

"But he had no notion of parting coompany wid me, bad cess to him! He took his seat right oonder the three, kaping wan eye on me stiddy, and growling ivery time I sthirred hand or fut.

"It was a trying situation, me b'ys, I till ye that, now, for I was a mile from camp, and the sun was about due down in Chiny, and if howly Saint Pathrick had n't heard

me prayer, it would all have been oop now wid Barney O'Brien. Belave me or not, but no sooner had I promised the blissed saint twenty goold dollars than I heered the swate voice of Misther Philip come floating along on the air. Ah, but he sings like a mocking-burd, shure! Nearer and nearer it came, and thin, all of a suddint, I saw himself walk into the clearin', niver dramin' that Saint Pathrick had brought him, nor that Barney O'Brien was threed by a bear.

"'Ware the baste, Misther Philip!' I yelled; 'Ware the baste!' But he niver heered me, for he was making the air fairly ring wid 'Rory O'Moore,' but I kipt oop me yelling, 'Ware the baste, Misther Bee; ware the baste!'

"'Hello!' he says, sthoppin' short; 'shure and I hear the voice of me frind Barney?'

"'Shure and ye do, Misther Bee,' I yelled; 'he is oop this three, wid a grizzly watchin' him. Ware the baste, for its coomin' for ye!'

"Thin Misther Bee spied the big spalpeen, and, instead of taking to a three, he joost sthood still and laughed, while he got his gun ready.

"Oh, howly Saint Pathrick, another twinty if ye'll save him," I cried, and clapped me hand over me mouth to ketch me heart, for it was thrying to joomp out at sight of the very divil himself, oop on his haunches, making for—"

"Hark!"

It was Kit Carson who spoke. He had been lying full length on the ground, and now half raised himself, his small, sinewy hand lifted to bespeak attention.

Instantly all were alert, but to untrained ears the silence was broken only by the weird voices of the night, —the distant howl of the wolf, the uncanny calls of night birds, the murmuring of the swollen stream rushing past

in the darkness, and the mournful sighing of the wind as it stirred the interlaced branches of the giant redwoods that shut out the starry sky above them.

"What is it, Carson?" asks some one softly.

"The hoof-beats of a horse," is the reply.

A few moments later, the sounds became audible to all, and springing to their feet, they waited eagerly to know the cause.

Suddenly, a horse and rider became detached from the dark wall that enveloped them. The jaded animal staggered forward, and ere friendly hands could prevent, the exhausted rider had slipped from its back and lay unconscious on the ground.

"Why, it is Sam Neal!" exclaimed Carson, in surprise, as the flames from a fresh supply of pine-knots flared up brightly and revealed the face from which a kindly hand was washing the blood and dust.

"Sam Neal!" repeated Carson; "what ever got him in such a fix?"

At the sound of his name the prostrate man moved slightly and murmured the one word, "Injuns."

"Indians!" The word fired every heart. What were bear or buffalo to a chance at the red devils!

The story of the brave courier was soon told:

Lieutenant Gillespie, bearing important dispatches from Washington City for Colonel Frémont, lay, with four companions, some miles away, in deadly peril from the hostile Klamaths, who had surrounded them. As a last hope, Neal had made a dash through their lines. He had escaped pursuit, and the showers of arrows sent after him, by a seeming miracle, and had reached Frémont's camp at last, to ask a rescue for his companions.

No need to ask, for, ere all the tale was told, not a man who listened but was eager to be in the saddle, and

by midnight the gallant Colonel, followed by his trustiest men, was spurring southward.

And what a wild ride it was! Now they would enter a deep gorge whose pitchy sides closed them in, while, high above, like grim sentinels carved in coal, rose silhouettes of peaks and pines.

Then, again, they would wind around mountain trails, where one false step made by their animals would have hurled both horse and rider hundreds of feet into the black chasms below, while all about them were the weird influences of the night, so strangely impressive in these vast, unpeopled solitudes.

But Carson was their leader,—Kit Carson,-that prince of guides,—and not a man hesitated to follow blindly. Nor was their confidence misplaced, for so skillfully did he manage the affair, that at dusk, the next day, they reached Gillespie, and the wily redskins were not even aware that they had done so.

Under cover of darkness the barricade was strengthened, then, following the advice of their guide, all, except the sentinels, lay down to take their much-needed rest, since no attack need be expected until the dark hour just before dawn, such being the Indian custom.

That night, far away in old Missouri, Philip's mother had stood in his room, beside the big four-poster, where the soft homespun blankets and chinkapin counterpane lay like snowdrifts across the downy feather bed, and with dim eyes had prayed God to care for her "one ewe lamb."

Well it was for the repose of that fond mother that she could not see her boy stretched on his couch of pine-needles, roofless save for the glittering sky above, while around him, in the darkness, lurked hundreds of savages athirst for blood.

But Philip's sleep was unbroken even by a dream, and, when aroused to make ready for the attack, he was as

much refreshed as though he had lain at ease beneath his own roof-tree.

The Indians did not keep the eager defenders of the barricade long in suspense, but came bounding forward to the attack with all the confidence of assured victors, uttering yells and screeches of triumph. They did not suspect that their intended victims had been reinforced, and the blaze of fire and hail of lead that met them took them completely by surprise. Back they fled into the darkness, leaving the ground strewn with the dead and dying.

Their leader, however, never flinched, nor ceased sending his arrows at the barricade, though he kept constantly springing from side to side to avoid the shots poured upon him, all the while uttering yells of defiance or calling upon his warriors to return.

Philip was moved to admiration. "Stop firing, boys," he said; "let us respect a brave man, even though he is a savage."

"Young man," replied Carson, "you may respect his memory, and put up a tombstone to that effect, but, for my part, I think he had better be in his happy hunting-grounds." So saying, the guide sent a bullet in the direction of the intrepid Indian, but without effect. At the same moment back came the retreating warriors with a rush, and attacked the barricade with such fury that the defenders began to fear it must yield.

"We will all die in here like rats in a trap," said some one.

"That we will not," replied the gallant Frémont, and shouting, "Out, boys, and at them!" he leaped over the barricade. Every man followed, close at his heels. For a time it seemed that pandemonium had turned loose. The savage yells and curses of grappling men, mingled with the reports of guns and pistols, were repeated a hundred-fold by echoes from the depth of the forest.

Philip and Wild had kept close together during the fray, sometimes fighting back to back, as overwhelming numbers of redskins closed around them. At last, however, a blow from a club stretched Wild senseless, and Philip, turning, saw the gleam of a knife just in time to strike aside the arm that held it, and deal the painted warrior a blow that sent him reeling backwards in the agonies of death,—a death, however, not unavenged. Even as the death-cry of his fallen foe smote Philip's ears, his arms were suddenly pinioned behind him, and half a score of sinewy hands were dragging him away so rapidly, that, almost before he could realize the horror of his situation, he was deep in the heart of the forest, helpless, and a prisoner.

CHAPTER III.

FAINTER and fainter came the sounds of the conflict, as Philip was forced along the forest trail, until, at last, listen as he might, he could no longer hear them. "A pretty ending to all my romantic dreams," he thought, grimly; "for an end it is, unless Providence has some special work laid out for me. Well, I 'll not show the white feather, even though I am as downy as a goose, and will die as game as though my skin were copper-colored."

Nerved by these resolutions, he began to make overtures of friendship to his captors, and remembering that "music hath charms to soothe the savage breast," determined to give the assertion a practical test. He began singing, very softly at first, then, as he noted the grunts of satisfaction with which his song was received, gave his fine voice full play. The effect was all that he could have desired, for although the words of the songs were not understood by the simple children of the forest, the spirit *was*, and the responsive chords in their hearts were touched.

His thongs were loosened, a piece of dried buffalo-tongue thrust into his hand, and other little attentions shown him, which served to mitigate the hardships of his lot. Above all, he was given to understand that there was a possibility of his being adopted into the tribe, in accordance with their custom, if a certain aged squaw, recently made motherless by the loss of her son, could be induced to receive him in that son's place.

It seemed like a grim satire of fate, but life was sweet on any terms; so Philip readily consented to their plan.

"It will serve to gain time, at any rate," he thought;

"and that is much, because, when the boys find that I am missing, they will take the trail and have me out in a jiffy."

On their arrival at the Indian village, Philip was made to understand that he was to be presented to the motherless squaw for adoption. Her approval would make all the difference in the world in his treatment at their hands.

They found her seated on a bearskin, beneath a huge tree, intent upon caressing a grizzly cub that was sprawling in her lap.

"See, mother," said the master of ceremonies, leading Philip forward; "we have brought you a son. He is a brave warrior. He will be a Klamath. He will bring you game from the forest, and fish and wild fowls from the lake. Come, up with you, mother, and welcome your son."

As the old creature lifted her repulsive, sin-wrinkled face, and leered at Philip through her gummy lids, he shuddered with disgust. Would it be possible to tolerate the situation even for the sake of living? Was life worth it? Yes; a "live dog is better than a dead lion," after all; so he smiled very pleasantly at his prospective mother, never doubting for a moment that she would eagerly adopt him. What, then, was his surprise to see her make gestures of refusal, and turn again to fondling her pet cub!

Nor could any arguments or persuasions induce her to change her mind. She would have none of him; so Philip was marched to the stockade and secured to a post, where he was left, under guard, to await the return of the chief and his warriors.

They soon came trooping in. He could hear the thuds of their mustangs' shoeless hoofs as they came galloping over the soft ground, and braced himself to meet whatever cruel fate was in store for him.

The door of the stockade was suddenly thrown open. Have they come for him so soon? No; they are bringing in more prisoners, and, to his dismay, he recognizes the voice of his friend, Barney O'Brien.

"Howly Saint Pathrick, try now and persuade these swate Injuns to draw thim buffalo-thongs joost a leetle milder, else they will cut me arhms off intirely," he said, as a couple of redskins secured him to a post.

"My God! Barney, is that you?" exclaimed Philip.

"I ain't gainsaying of it, Misther Bee; and sorry am I that ye air there to kape me company. But our b'ys licked thim red divils, and will be on our trail prisently; so —"

A blow on the mouth cut short the information, but Philip was cheered by what he had heard, and his hopes rose accordingly. He felt sure that rescue would come, but would it come in time?

The defeated savages were thirsting for revenge, therefore, by high noon they were ready to begin the torture of their unfortunate victims.

The two who had been brought in with Barney were led out first. Their shrieks of agony were dreadful to hear, and the young Irishman's rosy cheeks paled at the sounds.

"Cheer up, Barney dear," said Philip, noting the terror in his friend's once merry blue eyes. "We can only die once, my boy, and let us die like braves. Do you remember the Algonquin's death-song?" and Philip began humming that weird refrain,—

"'Though the flames roll on high, and my heart-strings burst with pain,
Yet the son of Algonquin will never complain.'

We must not give these wretches the satisfaction of hearing us shriek. Let us die as courageously as a redskin."

"Barney O'Brien can die right enough, Misther Bee," replied the Irishman; "but it 's the torthure."

"Howly Saint Pathrick!" he continued, "if ye can drive the snakes out of Ireland, why don't ye drive thim red-skinned varmints out of Ameriky? But, Misther Bee, I can niver sthand the torture, and sure am I that Saint Pathrick will tache me some thrick so that I can sarcumvint thim divils."

The shrieks of the tortured men had gradually died away into moans, and had finally ceased altogether. Then footsteps were heard approaching, the door was again opened, and Barney's time had come, for the guard cut the thongs that bound him to the post, and, though still pinioned, he was marched to the door.

Here he turned for a last look at his friend. "I'll wait for ye at the gate, Misther Bee, and we 'll make the journey togither; so here 's good by to ye till we meet again," he said.

Through tear-dimmed eyes Philip looked upon the kindly young face for the last time, — the door closed, and Barney was gone.

Philip dreaded to hear the shrieks wrung from this genial lad by torture, but all was silence, save the usual noises of the camp, and it was not until long afterwards that he understood the reason. Surely, Saint Patrick or some other kindly influence suggested to Barney a plan that insured him a death swift, sudden, and, it may be, painless. It came to Barney suddenly as he walked towards the stake with quaking heart, and without hesitation he determined to use it if possible.

It so happened that one of the guards spoke a little English, so that by many repetitions and accompanying signs Barney made him understand that he had a very important secret to communicate to the chief, and was

willing to reveal it if his life would be spared. He managed to interest his listeners, who in turn awakened the curiosity of the chief. A council was held, and, through the interpreter, the Irishman made known his mighty secret, while the braves sat solemnly in a semicircle, each with his piercing eyes fixed on the prisoner's face, as though to detect the shadow of imposture.

But Barney stood the test without flinching. Assuming an air of mystery, he made known the fact that his father, who lived across the big water, was a mighty medicine-man, the seventh son of a seventh son, and had taught him how to prepare a certain ointment, which, when rubbed on any part of the body, made it proof against the sharpest weapon ever known. Now the herbs used in preparing the wonderful ointment grew in the forest all around them, and if brewed with certain mystic rites, possessed all the power he had said. He was very positive in his assertions,—so very sure of what he said, that he was perfectly willing to have it tested upon himself, and so show the warriors that his words were true.

In making known what Barney said, the interpreter made additions on his own account, among which was the suggestion to test the matter. If the white man was a liar, he could be made to suffer for his deceit by a little additional torture.

The councillors deliberated the matter, and finally agreed to the test; so Barney, under a strong guard, gathered the herbs, and with many mysterious signs and incantations prepared the magic ointment. He would fain have postponed giving it the trial, hoping that by delay rescue might come, but the Indians were impatient and clamored for the performance, and a doubting Thomas, always in evidence in any community, was

present there also, and might cause the chief to change his mind; so all was speedily made ready.

The whole village had gathered to witness the wonderful feat of the medicine-man, — squaws, old and young, papooses, and dogs. A circle was formed, in the midst of which stood Barney, the only calm one in the excited crowd, while around him were ranged a dozen warriors, with knives and tomahawks sharpened for the purpose, ready to test the power of the magic ointment.

With steady hands Barney bared his beautiful neck, white as snow and firm as alabaster, and, motioning aside the swarthy foes who would have assisted him, anointed it alone. Then, commending his soul to God, he laid his head upon a log and signed for them to strike.

Half a dozen warriors threw themselves into position. Their weapons gleamed in the air, for they had planned to strike their blows in quick succession. The first fell swift and sure on the bare, white neck, and Barney was beyond all fear of torture.

As his head rolled from the trunk, and a stream of crimson shot upward, spattering the faces bent forward in their eagerness, yells of disappointment and rage rose from hundreds of dusky throats.

They buried their knives in his body, and fairly tore it into pieces, so great was their anger at being thus tricked. They set his head upon a pole, mocking and taunting it, and when wearied with that poor revenge, bethought them of the other prisoner, — on him they could doubly glut their vengeance. No memory of the pity that had once stirred their hearts when he sang, remained. He was simply a creature, helpless, and in their power, on whom to inflict pain, and *they* but the reflection of their more diabolical brethren, the vivisectionists, in

whom their savage instincts are multiplied a hundredfold. Devils all. The torture inflicted by the savage lasts but a few hours, and his instruments are crude; that inflicted by the so-called scientist lasts indefinitely, and is made more intense by cunning instruments devised by hellish brains.

CHAPTER IV.

"But bold Tydides to the rescue goes."
HOMER.

WHEN the door closed upon Barney, Philip gave himself up to despair. "All is lost," he cried; "for if rescue comes, it will come too late. Alas for the poor boy! How can I lie here helpless and listen to his shrieks of agony?"

It seemed to Philip that all the sorrow ever endured by the human race, if summed up, would not equal what he felt as he waited for the dreaded moment that would tell him the savages had begun their hellish work.

He did not know what was going on, nor that the guard left over him had been unable to resist the temptation which held the crowd around Barney almost breathless, and had crept away from the stockade.

But there was one who had watched and waited for the very opportunity that now came,—an Indian girl, the niece of the old hag who had refused to adopt Philip. He had smiled upon the girl unconsciously, and had forgotten her existence. But she had not forgotten the young American, and her shrewd brain devised a plan to rescue him. During the excitement and interest in Barney's scheme, her absence was unnoticed. To steal quietly away, to find the weak spot in the stockade, known already, to creep through, cut the prisoner's thongs, thrust some strips of biltong into his pockets, and, without a word, to put him on the trail leading eastward, was accomplished with such expedition, that Philip, speeding swiftly through the forest, could scarcely realize he was the same man who, but a short time before, lay hopeless and a prisoner.

With the blind instinct of self-preservation, he kept steadily on his way, putting out his utmost speed. If he could only reach the river and throw them off the trail, he might yet escape. Fear lent him powers of endurance, that he did not imagine he possessed, but, at length, he found himself greatly spent, and hearing no sounds of pursuit, slackened his pace. He even paused for a moment to refresh himself at a brooklet that rippled between its banks of moss and ferns. As he stooped for a draught of its limpid water, his ear, close to the ground, caught sounds that caused him to forget his thirst, his weariness, and all else save the fact that his ruthless pursuers were on his trail.

Again he speeds forward,—on, on, on. He knows that he is nearing the edge of the forest, since the trees grow more sparsely. Then he sees before him a clearing, covered with tall, thick grasses and low shrubs. These retard his speed, and not a moment can he afford to lose, with the sounds of pursuit coming nearer and nearer.

At last he sees the gleam of the river through the willows and cottonwoods on its bank. If he can only reach it, then he can throw his hunters off the scent.

Alas! what invisible imp, hostile to man, threw his foot against the projecting root of a broken shrub, and sends him sprawling headlong to the ground?

At the same moment a half-naked savage, knife in hand, comes leaping into the clearing. He has outstripped his companions in the chase, and already sees the scalp-lock of his unarmed enemy dangling from his waist.

As Philip regains his footing, he sees his dusky antagonist, and, not waiting to be attacked, draws the knife the Indian girl had given him, and makes a furious onslaught, greatly to the surprise of the advancing redskin.

However, he is but a poor match for his supple enemy, for, grappling at close quarters, it is muscle that will win; and what chance has Philip, untrained, and encumbered by clothing, against this brawny, naked child of nature, whose arms and limbs are as gnarled as a Monterey cypress? Twice, thrice, they sway, then Philip, yielding slowly, is borne to the ground. The Indian's knee is on his breast,—one sinewy hand grips his throat, while the other holds high the gleaming knife ready for the fatal plunge. He feels no more mercy for the man beneath him than Pasteur feels for his suffering rabbits, but holds the knife poised to enjoy the moment of victory to its fullest. A moment is but a little space, yet then, as in the days of Homer, it held matters of weight.

> "So soon swift Æthe her lost ground regained,
> One length, one *moment* had the race obtained."

As the Indian paused, his face lit up by his diabolical pleasure, the report of a rifle rings out upon the air. The uplifted hand relaxes, the knife falls from its grasp, and the savage tumbles backward, with a bullet through his heart, and his death-cry mingling with the echoes of the shot.

Springing to his feet, Philip looks about him, bewildered by the unexpected deliverance.

"Are you all right, Bee?"

It was the well-known voice of Carson, who now came from the willows with rapid strides. "I was in the nick of time. A moment later and—but hark!"

The trained ear of the scout had caught the sound of pursuit. "Quick, man," he said, "or we are lost!"

They darted among the willows, and made their way as rapidly as possible to the river. Running along the bank, they at length came to a huge cottonwood whose branches hung far out over the water. This they

climbed, and swung themselves into the stream. The current was swift, and with but little exertion on their part, it bore them around a bend, thus concealing them from the Indians, who were already running up and down the banks of the river above, in search of the lost trail, their keen eyes taking in every object within range of their vision.

Fortunately, our two fugitives discover a pile of drift-wood lodged on the opposite shore.

"Dive, and make for it," said Carson; "it is our last chance."

In a few moments both were clinging to it, their heads only above water, but effectually concealed by masses of brush on the drift.

They had not been a moment too soon. The dusky hunters had even swum the stream and were vainly searching for the lost trail, passing and repassing the drift as they ran back and forth.

Fortunately, night was close at hand. It set in dark and stormy, so the baffled redskins gave up the chase, and growlingly returned to their camp.

Then the two almost exhausted men came cautiously from their perilous position, and, sheltering themselves in a thicket, wrung the water from their soaked garments, and refreshed themselves by eating a portion of the biltong provided by the Indian girl. Philip suggested an hour's sleep, but Carson was too old a mountaineer not to know the danger of such a proceeding in their drenched and exhausted condition. "Besides," he said, "it is not more than an hour's walk to camp."

"Camp?" questioned Philip. "It did not occur to me to ask you how you came here. It seemed so natural that you should be here. Tell me about it, now, as we walk along."

"There is not much to tell," replied the scout. "When

the fight was over, four of our men were missing,—you among the number. Your friend, though wounded, lost not an instant in starting on the trail. There are about a dozen of us; the rest are in camp not far away. I left them preparing supper, and came out to reconnoiter."

"Thank God, Carson, that you did so, else—"

"Don't mention it, Lieutenant. You are all right now. Just put your mustache around the neck of this canteen and see what John Barleycorn has to say for himself," said Carson in his soft, drawling tones. "But I can tell you some news that will set your blood stirring more quickly than my friend John. Uncle Sam is going to fight."

"Fifty-four forty, or fight," replied Philip. "Hurrah for Uncle Sam! He 'll give Johnny Bull a harder drubbing this time than when he was a baby. Of course, our plucky little Colonel will be in the thick of it."

"Of course," said Carson; "but you are on the wrong track. We are not going to fight England this time, but Mexico. That's what brought Gillespie after the Colonel, I think. At any rate, he brought the news, and now we will have better work than hunting grizzlies and redskins. Uncle Sam has just *got* to have California and Oregon, and his boys 'll see that he does."

After the first joy in Camp at Philip's return had abated, the next topic was the war with Mexico, and back, with all speed, went Frémont and his men, each anxious to do his part towards giving California her destined place in the young republic. Events followed each other in quick succession. The Bear Flag, raised at Sonoma, was shortly after replaced by Old Glory, which, by August, was also flying at Yerba Buena, Sutter's Fort, and Bodega. Commodore Sloat, to whom Monterey had surrendered, had sailed for the Atlantic coast, after having transferred his command to Commodore Stockton.

CHAPTER V.

"As one for giusts and fierce encounters fit."
SPENSER.

ON Sunday afternoon, July 19, 1846, Frémont's Bear Battalion rode into the quaint old town of Monterey. They were as motley a crew as ever followed King Rex in his maddest carnival, their buckskin clothing covered with dust, the pistols and knives glittering in their belts, the long hair flowing from under their caps or sombreros, and beards many months old, giving them a wild and savage aspect. As, two abreast, they filed through the throngs that lined the streets, Philip, who never failed to single out a pretty girl, had just caught the glimpse of a pair of roguish eyes peeping over a large fan, when, to his disgust, he heard the owner ask a natty young naval officer, "Señor, ees dem really bears?"

"They look more like gorillas, señorita," is the reply.

"Bears! gorillas!" murmured Philip, savagely.

"Never mind, Phil," laughed Wild; "the tailor makes the man, you know."

"Assisted, of course, by the knight of the strap," agreed Philip, stroking his beard.

Four days later, with the bear and gorilla eliminated, our two Missourians went aboard *The Congress* and were presented to the Commodore, who, proving to be an old college-mate of Philip's father, gave them both places on his staff. A few days later, they were flying southward on their mission of conquest, which was speedily accomplished. Then, having issued a proclamation in which he declared the territory to be under martial law, and leaving Captain Gillespie in command at Los Angeles, Stockton returned to Monterey, and from thence to San

Francisco, where he was received with ovations as the conqueror of California.

However, on the night of September 29th, less than a month after he had proclaimed that he had secured the territory, routed the enemy, and ended the war, a courier, coming in hot haste from the south, brought tidings of a revolt, that sent *The Congress* once more speeding down the coast.

Although Castro had fled to Altar, and Pio Pico was wandering in exile, José María Flores had once more made his headquarters at Los Angeles, and was issuing proclamations commanding the Californians to take up arms against the invading Americans, or be shot as traitors.

The harborage of San Pedro being unsafe, Commodore Stockton anchored in San Diego Bay and established himself in the town, "preparatory," he said, "to beginning a campaign that would teach the Californians to acknowledge Uncle Sam as their master."

Philip and his friend Wild being on the Commodore's staff, they, with their commander, had been assigned rooms in the residence of a hospitable Don, who prided himself on his pure Castilian blood, and held any lower caste in contempt.

His spacious house, containing nearly thirty rooms, was a low-ceiled adobe building, extending around the four sides of a quadrangular court, each room opening from front and rear onto a broad veranda. These verandas, shaded by sweet-scented climbers, were pleasant lounging-places, and it was here that Philip and his friend spent many hours smoking their cigars, reclining in hammocks or easy-chairs, listening to the music of guitars or the band, and idly watching various phases of Mexican life going on in the plaza, on one side of which the Don's house stood.

A day or so after their arrival, as they were thus pleasantly engaged,—a cock-fight being the object of their amusement at the time,—a California *carta*, drawn by two oxen, and accompanied by a couple of dusky outriders, came slowly across the plaza and drew up in front of the house.

No sooner had it halted, than, like a swarm of bees, out buzzed the household and surrounded it, Don Juan and his wife holding the chief places, and their twenty or more Indian servants grouping themselves as closely as they dared. From the unusual commotion, our two observers knew that some event of moment had occurred; the two outriders, the maid, and a fat old woman draped by a black rebozo were all talking at once, each endeavoring to explain something that had happened, and to throw the blame on the other.

At last Don Juan's voice rose above the din. He spoke in Spanish, but the young men had picked up enough of that language to enable them to understand the conversation.

"Silence!" he commanded, raising his hand with authority. "Let no one speak until he is spoken to. I will hear the dueña first.

"Señora, where is my niece?"

The dueña had alighted from the *carta*, and was waddling across the veranda, but, at the Don's stern question, she drew her rebozo over her face, and falling into a hide-bottomed chair, gave way to a series of hysterical sobs, interlarded with ejaculations of contrition and despair.

Finding it useless to apply in this quarter, the Don turned to the maid.

"Loreta, where is your mistress?"

Loreta also took refuge in tears, and from behind the large silk handkerchief in which she had buried her face,

sobbed almost incoherently, "Alas! señor, how can I tell when I do not know. Poor, poor señorita!"

"A plague upon these female idiots!" he cried, losing patience, as he turned to question the two men, who still sat in stolid silence upon their bronchos.

At last, by threats and coaxing, he managed to find out something of the matter.

Four days before, the Don's missing niece had left Los Angeles, accompanied by her dueña, her maid, and the two men-servants. At noon, on that very day, as they were resting for lunch and the usual siesta, they had been surrounded by Hermosillo and some of his followers.

At mention of the name, Don Juan turned pale, and his wife, devoutly crossing herself, lifted her eyes as if in mute appeal to heaven.

"Dogs! you shall have the rope's-end for this!" cried the Don angrily. "Your backs shall pay for sleeping when you were sent to guard!"

"We fought, Excelencia," said one of the men. "Pedro killed two of the rascals, and I, Manuel, laid five of them low."

"He lies, Excelencia," put in Pedro. "It was I, Pedro, who killed five, while the cowardly Manuel there only crippled one."

"Liars both," said the Don hotly, and—"

At this moment a little Indian boy came darting like a brown streak across the plaza, and, bounding upon the veranda, thrust a little roll of buckskin into the Don's hand. He hastily opened it, and read aloud:—

"To the Don Señor Juan, *Greeting:*

"I, Hermosillo, now in arms against the invaders of my country and the traitors who harbor them, make known to you that this day your niece has fallen into my hands. I herewith demand for her ransom four

thousand reales, to be used for the national good. Three days' time will be given, when a messenger will wait under the two palms for an answer. Any attempt at treachery on your part will result in the death of your relative.

"Signed, HERMOSILLO."

"Here's a pretty kettle of fish!" exclaimed the Don; "and what to do, is a serious question." In his perplexity and agitation he appealed to Philip and Wild.

"You have heard how matters stand, gentlemen," he said. "My young niece, Ysidora, was kidnaped to-day by a gang of outlaws, headed by one Hermosillo, who, calling themselves partisan rangers, and pretending to fight for California, make dashes out of their hiding-places in the arroyos, for the purpose of pillage or plunder. Every moment is precious. What do you advise?"

"Pay the ransom," said Wild.

"And leave the young girl, alone and unprotected, at the mercy of those brutes!" exclaimed Philip. "Never, Don Juan! never! Find a dozen trusty men, arm them to the teeth, and let us be off to the rescue within the hour!"

"Right you are, Lieutenant, and not a moment must we lose," cried the Don, catching Philip's enthusiasm. "Here, boy, which way is thy master?" he continued, turning to find the messenger, but the boy had disappeared.

"No matter," he said; "we will arm and mount, and then be guided by circumstances. The villains must be among the hills to the northward, since it is from that direction the *carta* came.

As the sun was dipping down behind Point Loma, the party of resolute men rode out of the little town, past the purpling hills that skirted the road, and in among the shadows of the willows on the banks of the river.

Here they met with an unexpected piece of good fortune, for, in a sheltered copse not far from the road, they saw a smoldering camp-fire, and beside it, fast asleep, lay the brown, naked boy who had brought the message. They aroused the child, and soon elicited the fact that his father was one of Hermosillo's band, and that they were encamped at Las Peñasquitas, not twenty miles away.

So onward they galloped, and by midnight reached the trail that led down into the little valley.

All was dark and silent, save the glimmer of a few smoldering camp-fires among the cottonwoods, and the grewsome howl of a hungry coyote.

Down the steep trail they moved like shadows. At the foot they paused, and Don Juan, dismounting, crept softly forward to reconnoiter. After what seemed an interminable time to the others, who were waiting, he returned.

"It 's all right, boys," he said softly. "The child told the truth. My niece is shut in that old adobe, in the room where the light is twinkling through the window. Now, I propose that two of our party remain here with the horses, although we can take the animals nearer than this, for any noise they may make will be mistaken for their own. Eight of you had best stand ready for whatever may happen, on the north side, where the band are sleeping, and engage them in case of alarm, while Lieutenant Bee and I get my niece out of that room. And, Lieutenant," he continued, "remember that if anything happens to me, you can give her a seat, since you are well mounted. In such an event, waste no time on ceremony, but, regardless of everything else, take her straight to her aunt at San Diego."

These words caused Philip's heart to beat with an enthusiasm worthy a mediæval knight-errant, and he felt

that he could attack the whole band single-handed, put them to rout, and rescue the distressed damozel.

Hermosillo and about twenty of his followers, wearied by their day's excursions, had halted for the night at the old ranch-house, which, for the time, had been left by the family who owned it, and were sleeping in fancied security.

The night was still and moonless, and Don Juan's men easily escaped the notice of the drowsing sentinel by creeping softly up, hidden by the drooping branches of a huge pepper tree, while the Don, himself, and Philip undertook to make their errand known to the señorita.

She had no thought of sleeping, and at the first call of her name came to the barred window.

"Yes, uncle, I am here," she whispered; "but how am I to get out? The bars across the window cannot be moved, and the door is fastened from the outside."

"Shall we attack the band, and force our way in?" asked the Don.

"No," replied Ysidora; "now that I think of it, I have a better plan. I noticed to-day that some of the tiles on the roof are loose—the ceiling of this room is low—I can manage to climb through the opening,—"

"And I can manage the rest," said her uncle.

"Now, Lieutenant," he whispered, "young limbs are nimbler than old ones; I will stand guard while you climb the pepper tree and lend my niece your assistance, for those curving tiles are awkward footholds."

Philip had scarcely reached the level of the roof and planted himself firmly, when the outline of white skirts against its dark surface told him that the señorita had succeeded in her plan.

"Uncle," she said softly.

"This way," was the whispered reply.

An instant later, and two soft arms were around Philip's neck, and a little head cuddling on his shoulder.

"How delightful it is to be an uncle," thought Philip, but, instead of expressing the thought, said, "S-h-h! Do not speak; your uncle is waiting below."

The sweep of the mustache across her cheek, and the voice of a stranger close to her ear, so startled the girl that with an exclamation of surprise she stepped backwards so suddenly as to throw the loose tile crashing to the ground. The sentinel instantly gave the alarm.

Most of Hermosillo's band were scattered up and down the valley for the purpose of forage, therefore the conflict was not as unequal as had been expected. Still, Don Juan's men engaged those who rushed out at the signal of alarm, so fiercely that they were kept busy on the north side of the house, as had been planned, leaving the south side unmolested. As ill luck would have it, however, just as Ysidora and Philip reached the ground, a Mexican dragoon came around the corner, in full retreat, nearly upsetting Don Juan, who, for the moment, was off his guard.

But before the Mexican could recover from his surprise, the Don attacked him fiercely, at the same time saying, "Vámos, Lieutenant! Make for San Diego."

Philip needed no second bidding. Taking Ysidora by the hand, together they ran with all speed to the horses. A moment later, she was on the saddle before him, and away, like another young Lochinvar and his Ellen, they were speeding.

Meantime, the Don had discomfited the dragoon; then sounding the signal of retreat, he and his men were soon galloping away. Hermosillo had no wish to follow, and before dawn the Don and his men were in San Diego once more, and Ysidora the heroine of the hour.

Philip, too, was in the seventh heaven, so to speak. He had found his friend up and waiting for him, and an interested listener to his night's adventure.

"I tell you, Charley, these Californians know how to take a girl riding. Never shall I forget the four heavenly hours I have spent in this glorious gallop across the mesa, the stars glittering overhead, the cool breezes blowing from the sea, and a lovely houri in the saddle before me! Life *is* worth living, is n't it, my boy?"

"Have you forgotten how near you came losing it at Monterey, when you galloped away with that pretty Spanish girl, and her sweetheart's stiletto just missed you?"

"A miss is as good as a mile," laughed Philip. "Why, old fellow, a night like this is worth a hundred in stupid old Missouri. It carries me back to the days of Ivanhoe."

"Take care, Philip. The next thing, you will imagine yourself in love with this rescued Rebecca. Don't add another name to your list. Come, now, did you ever look into your real nature with an introverted eye? Did you ever analyze your heart?"

"What kind of a specimen do you think I am, Charley?" he replied. "Do you think I am like one of those cold-blooded creatures classified as human, yet who enjoy sticking pins in other creatures and leaving them to perish by inches? Maybe you want to stick a skewer through my heart, to see what kind of stuff it is made of. Analyze my heart, indeed! What would Dan Cupid say to *that?*

"Oh, Philip, you are an incorrigible," replied Wild; "but I suppose a leopard cannot change his spots, since there were forces at work upon them ages before the leopard himself was evolved."

CHAPTER VI.

THE San Diegans, like other Californians, were genial and hospitable. They were ignorant of the existence of certain conventionalities that trammel society, and were perfectly contented with their simple lives of ease and pleasure.

Various amusements, common in that section, were devised to entertain the Americans while preparations were being completed for the advance upon Los Angeles.

Dancing, feasting, gambling, chicken-pulling, bear-baiting, and other sports succeeded each other, all of which the Americans seemed to enjoy from their very novelty.

Since Philip was under the same roof as Ysidora, it was only natural that he should be her escort on many of these occasions; and it goes without saying that she took captive his susceptible heart.

Wild saw this with sorrow, and remonstrated.

"Surely, Philip, you are not in earnest," he said.

"I never was in such deadly earnest in my life before," replied he.

"My boy," said Wild, sadly, "what would your mother and father say? Both came from good old Virginia stock, and can count a dozen coats of arms between themselves and the gallant captain who fought by the side of the Conqueror and won his spurs at Hastings."

"Oh, bother the Conk!" exclaimed Philip. "He was a rascally old robber, and stole the estates that he bestowed upon my ancestor."

"But the blood, Philip,—the blood. Would you mix yours with that of the Latin race?" persisted Wild.

"Ysidora's father was English and her mother a pure

Castilian; so she is only half Latin,—and she is the prettiest and most charming girl I ever saw."

"And so forth and so on, to be continued," interrupted Wild, as he lighted a cigar and went out of the room. "The poor soul is as enchanted as ever Don Quixote was. It is folly to argue with a lunatic."

Ysidora was certainly a very charming girl. Although born in Madrid, she had spent some years among her father's relatives in England; therefore she spoke English. She was an excellent musician, sang like a mocking-bird, danced like a fairy, and was as sparkling as a glass of champagne.

She was also thoroughly human enough to enjoy the adulation that men so freely gave her. It appeared to be her natural right. Thus, more from the love of approbation than from any particular motive, she drifted into the habit of accepting the burnt-offerings of admiration so constantly laid at her feet.

This was often a cause of remonstrance on the part of her dueña.

"Bonita mia," she would say, "why do you lead those caballeros on until they love you and tell you of it, or at least until they are so much your slaves that you cause them pain. Do you love to see people suffer?"

"Shocking, Auntie Anita!" Ysidora would reply. "You know that it is not because I am cruel. How can I say, 'Poor young man, let me warn you not to fall in love with me. Although I am such a charming creature, I am a heartless one, and will break *your* poor heart in the end?' No, no, Anita; I cannot do that. Never worry about my lovers, dearest. Men have died from time to time, and worms have eaten them,—but not for love, Anita, *not for love*."

And so, like a young queen, Ysidora continued to receive the homage of her admirers, chief of whom was

Philip, whom Wild gave over as being absolutely enchanted.

A smile from her perfect lips, or a meaning glance from the depths of her dark eyes, although no word was spoken, and he was the happiest man in existence; at other times, when smiles and glances were bestowed elsewhere, he was the most miserable.

One night (December 2, 1846) a ball was in progress at the residence of Doña María Irbaña. Sweet strains of music came floating through the doorway and windows, around which were gathered groups of humbler folk, debarred by social caste from the enjoyment within. A little apart from these, but in such a position that his eye could take in the room, stood Philip, with contracted brows and an aspect so gloomy that Edgar of Ravenswood might well have looked to his laurels.

To understand this young man's emotions as he stood there watching his lady-love whirling in the entrancing waltz, encircled by the supporting arm of Captain Gray, one must himself have felt, at some time, the fangs of the yellow-eyed monster gnawing at his heart-strings.

Perhaps she lifts her lovely eyes too often to those of her partner; perhaps she leans too confidingly on his shoulder; perhaps,—well, perhaps Philip accepts as "confirmation" the "trifles light as air" which make this little planet seem such a wretched dwelling-place, that he heartily wishes he were elsewhere. At any rate, he can endure the sight no longer, and neither knowing nor caring whither he goes, strides away across the plaza.

As he walked moodily along, his hands thrust into his pockets and his eyes bent upon the ground, he nearly upset another pedestrian, coming slowly from the opposite direction.

"Hello, there!" cried Philip. "Is n't this plaza large enough for two?"

"'Pears not, Lieutenant; and I'm mighty glad that it is n't."

At that moment the moon came from behind a cloud and fell full upon the speaker, a small man in a buckskin suit and a coonskin cap, who smilingly extended his hand.

Philip grasped it heartily, saying in tones of genuine pleasure, "Why, Carson, is it really you? I thought you were on your way to Washington with dispatches."

"I did start," replied the scout, "but I met General Kearny on the way, and came back with him as a guide, while Kirkpatrick went on with the papers. Kearny is up at Santa María now, short of supplies, and expecting, at any hour, to be attacked by a superior number of Californians.

I managed to get through the lines, and came down here for help. I am on my way to Commodore Stockton's headquarters, and must see him to-night, for whatever troops he sends must be on the road by daylight, at latest."

"I am on Stockton's staff," said Philip; "so come right along with me."

The matter was speedily arranged. Before sunrise the troops selected for the purpose were spurring northward, and by nightfall had reached Kearny and his hungry men, who were camped on a hillside, beneath a group of giant live-oaks, whose dense, wide-spreading foliage proved an excellent shelter.

A clear, cold stream of water came rushing down from the mountain above, pausing as though to rest in a grassy pool, then hurrying noisily on its way. The lower lands were lost to view in the heavy gray mist that hung over them, and lay in soft, woolly patches high up on

the hillsides. Far beyond, rose peak after peak of distant mountains white with snow.

It caused a grewsome feeling to move about in this upper region, cut off, as it were, from the busy world, and to fear that at any moment, from the unseen depths below, an armed foe might spring, ready to battle to the death.

Kearny's worn-out troops gave Carson's little company a warm welcome, and especially were they grateful for the comforts that cheer the "inner man," or, more properly speaking, the inner animal. Equally grateful to the chilled and weary newcomers were the warm, bright camp-fires, around which, in true Bohemian freedom, they soon were merrily chatting as though they had known each other always.

The canteen passed freely, and soon, under its genial influence, they began to grow eager for a brush with the enemy.

"Who 's afraid of them cowardly Californians, anyway?" exclaimed one.

"*One* of us Americans can lick half a dozen of 'em, single-handed," remarked another.

"You bet," drawled Carson in his soft, low voice as he joined the group and stretched his lean, buckskin-clad legs to the fire. "I know them fellows. Their bark is worse than their bite."

"For my part, Carson," said Captain Moore, of Kearny's dragoons, "I should like to know something definite. We hear so much and cannot really rely on anything. I should n't enjoy having those fellows dash suddenly out of that fog bank, and have us on their lances like so many geese on spits, before we understood what they were about."

"What say you to a reconnoissance, Ben?" inquired Lieutenant Hammond. "Gillespie says that on his way

up he heard that Andreas Pico, with about eighty men, was at San Pasqual, which, I believe, is only about ten miles from here."

"A good idea, Tom," replied Captain Moore. "I will see the old man [General Kearny] about it right away."

"'Ben,' 'Tom,' 'old man,'" muttered Philip. "I like that. Surely, nothing takes the starch out of the army more effectively than a diet of mule meat. Poor fellows! I suppose they were glad enough to keep bodies and souls together on their long journey out, even at that cost."

The General having consented to the proposed reconnoissance, the party, consisting of Lieutenant Hammond, Philip, ten dragoons, and a guide, set off for San Pasqual valley. The December afternoon was closing in dark and threatening, and a fine, drizzling rain was beginning to fall.

"Just the night for a lark," said Philip, securely adjusting his serape, and pulling his hat well over his eyes to protect his face.

"Jack Cade could n't ask a better," replied Hammond.

"Keep close together, boys, and mum 's the word," he continued, addressing the dragoons, who, mounted on mules or bronchos, fell in the rear.

They rode silent as shadows through the deepening darkness of the night, following the guide over mesa and hill, until at last he drew rein at the top of a trail leading down into what seemed an inky chasm. They knew it was the valley, and that the twinkling lights in the distance burned in the tule and adobe huts of the Indian village.

Down the trail they went, trusting entirely to the instincts of their animals, and rode cautiously down the valley towards the village, where they believed Andreas

Pico to be encamped. When a few rods distant, they tie their horses to a clump of willows close-by, in the shadows of which they leave the dragoons. Then the guide and the two lieutenants cautiously enter the village.

All three creep softly from hut to hut, pausing now and then to listen, or to apply an eye to some friendly chink. Near the center of the village stood a hut somewhat larger than the rest. Its door was ajar, and by the light of a bright fire that burned on an open hearth, Hammond saw about twenty Californians asleep on the floor.

A solitary Indian nodding in the chimney corner appeared to be the only guard.

"By George! here they are, Bee," whispered the Lieutenant; and both young men peered through the aperture. "The one on the right is Andreas Pico. I saw him at Los Angeles. What say you to calling the boys and giving these fellows a little surprise party."

"No," said the guide, coming up at the moment. "I have just been talking to an old Indian, who says there are about three hundred here, waiting to attack Captain Gillespie. They think he is out on a cattle-raid for Stockton's forces. The old man did not seem to know anything about General Kearny."

"Some ancient imbecile, perhaps," said Philip. "We had better return and report before doing anything rash."

At that moment one of the horses neighed, and the next instant a sentinel's alarm rang out above the moaning wind and noise of splashing rain. At the sound, every sleeper in the hut sprang to his feet and hastened out, eager to know the cause of the disturbance.

"Americanos! Gringos! Viva California!" were the

cries that were raised on all sides as the Californians ran excitedly about, but, under cover of the friendly darkness, the scouting party made good their escape. They, no doubt, would have used whip and spur more sparingly had they known that the Californians could not give pursuit, since their horses had been sent some miles away to pasture.

CHAPTER VII.

"The King of France, with forty thousand men,
Marched up a hill—and then marched down again."

On receiving the report of the reconnoitering party, General Kearny decided to make an immediate attack on the Californians at San Pasqual, hoping to surprise and take them at a disadvantage. Therefore "boots and saddles" was sounded, and soon the little army was on the move.

The rain had slackened, but the night was raw and cold, the roads heavy, and the nine miles that brought them at dawn to the brow of the hill overlooking the valley were nine as weary miles as many of them had ever traveled.

In their muddy, wet, and wobegone condition, they bore but slight resemblance to the ideal conquering heroes who were to wrest California from a hated foe. Their courage, however, was of the right sort, and when they saw their enemies at the foot of the hill, drawn up in battle array, with lances and escopetas ready to receive a charge, should it be made, they gave a wild battle-yell, and made it.

Down the steep grade at a gallop dash Captain Johnson and Lieutenant Bee, with twelve of Uncle Sam's dragoons close at their heels, regardless of the uneven ground, loose stones, and thorny cacti in their way,—regardless, too, of the superior numbers waiting to receive them.

When they reach the foot of the hill, the Californians, wildly cheering, close in around them, and they have it, hand to hand, hot and furious.

Down go some of the brave dragoons, and ill would it have fared with all, no doubt, had not General Kearny

and his men appeared on the brow of the hill, spurring to the rescue.

Seeing this, the commander of the Californians gives the order to retreat, and away they flee, swiftly as their horses can bear them, down the valley and towards the hills and arroyos on its opposite side.

Then, cheering, yelling, and almost shrieking with joy, the Americans follow pell-mell, without order, confident of success, and madly elated by their easy victory. Onward flee the retreating Californians, and after them, over brush and brier, gallop the Americans.

A mile, two miles, is passed, then, suddenly, clear as a clarion, rings out Andreas Pico's command, "Wheel and counter-charge!"

As though moved by one impulse, the Californians turn their horses, and, dashing their rowels in the already bleeding sides, ride at full speed towards the pursuing Americans, who are taken completely by surprise.

The onslaught is as furious as the retreat has been swift. Hand to hand they have it again, clubbed muskets, lances, sabers, and escopetas clashing in death-dealing blows.

Captain Moore and Lieutenant Hammond are nowhere to be seen, both having fallen early in the conflict. Down goes Streeter under the sixteenth lance-thrust. Down go Gibson, and Warner, and Robideau, the guide, cheering as they fall. Down go other brave fellows under the strokes of these incomparable horsemen, who wheel and guide their animals with such skill that the legend of the Centaur seems no longer a myth.

The fighting is hot while it lasts, and the straggling Americans, taken by surprise, are at a disadvantage, yet they quickly rally, and, in spite of all, hold the ground. Again the Californians are compelled to retreat, but General Kearny is in no condition to follow. His army

go into camp among the willows that skirt the little river, bury their dead, and care for their wounded.

Night closes in; the mists settle down over the valley; the moon rises bright above the line of black hills on the east; and the wind, sweeping in from the sea, wails its requiems for the dead, while the dark willows bend their lithe forms like mourners above the new-made graves of those who, but a few hours before, were full of life and hope. Slowly the hours go by. The wearied soldiers sleep; the sentinels change their beats, the stars march in stately silence across the sky, and day, at last, dawns again.

CHAPTER VIII.

"Now are our brows bound with victorious wreaths."
SHAKESPEARE.

AT an early hour the Americans began their march towards San Diego. The Californians continued to harass them, and, when near Mount San Bernardino, so surrounded and checked their advance, that they were obliged to take refuge on the top of that high, cone-shaped hill, and lay in a state of siege, until the indefatigable Carson and Lieutenant Beal crept through the lines at night, and again brought relief from San Diego, Lieutenant Gray arriving only in time to save them from actual suffering.

They reached San Diego December 12th, and found such a kindly welcome awaiting them, that they were repaid for past hardships endured.

They had, however, but little time to enjoy their newly won laurels, for it was decided to march northward almost immediately and attack General Flores at Los Angeles, striking, if possible, a decisive blow.

Accordingly, one December morning, the little army, six hundred strong, assembled in the plaza. All was bustle and excitement. The band was making the air ring with "Yankee Doodle," the crowd was cheering, handkerchiefs waving, and away marched the boys in blue, while above them floated the lovely American flag made by Juan Bandini's beautiful daughters.

When compared with the gigantic proportions that war has assumed at the present day, this little "Army of the West" seems to scarcely deserve the name, but at that time it was considered very formidable, and was so reported to General Flores, whose numerous scouts

watched it from the hilltops and fled before its approach.

On January 8th, they reached San Gabriel valley, through which a small stream of the same name flows in a southeasterly direction. Approaching the valley from the southeast, the road is level until the river is reached, but on the opposite side of the stream there is a bluff some fifty feet high.

It was on this elevation, which commanded the ford, that General Flores had posted five hundred men and two nine-pounders, and was waiting in person to receive the expected Americans. The right wing was formed by Manuel Garfias and Andreas Pico, who had led the Californians at San Pasqual, with two squadrons of cavalry, while the left consisted of another mounted squadron, under Carrillo.

The Americans were nothing daunted by this formidable display and the advantage of position held by the enemy. They marched steadily forward and advanced boldly across the stream, regardless of the showers of grape and round shot that plowed the water around them.

Referring to history for a detailed account of this engagement, one finds that for two mortal hours each side threw shot and shell into the other's ranks; one learns how the right and left wings deployed; how solid squares were formed, which boldly received and returned attacks from the enemy's center, and how furiously each side charged and counter-charged upon flank and rear.

And, above all this, let one imagine that he can hear the clash of sabers, the deadly whirr of bullets, the fierce roar of the cannon, and the groans—but no! one could scarcely hear above the clatter and clash and roar the groans of only eight poor fellows who had been wounded. For that was about the summing up of the fight at

San Gabriel, when the god of battle had smiled on the Americans and the Californians had fled.

Instead of following up the fleeing enemy, Uncle Sam's boys went into camp and made themselves as comfortable as possible, with Old Glory floating above them and the band making the air ring with our national airs as lustily as though the government had the ear of a Dionysius, and could hear every sound in his vast dominion.

"Only two killed and eight wounded on our side," said Philip, proudly. "What poor marksmen those fellows are!"

"It is more the fault of that worthless San Gabriel gunpowder. It is n't good for anything," some one said.

Then Kit Carson stretched himself before the camp-fire as he said, dryly, "What 's the matter with Uncle Samuel's gunpowder? Do you know that there is n't a dead Californian on the field?"

"What do you mean, Carson?" cried Philip. "No dead Californians!"

"No one, Lieutenant; but 'tell it not in Gath,' or they may pluck up courage and give us another fight."

It was as Carson had said. According to the best authorities, not a single Californian had paid with his life for the glory of being shot at, that day, in the battle of San Gabriel.

The war now was practically over, unless we take into account some skirmishing and harmless long-range firing, at what is called the Battle of the Mesa.

On January 10th, the Americans took possession of Los Angeles; on the 19th of the same month, Commodore Stockton embarked at San Pedro, on a man-of-war, for San Diego, arriving there on the 22d, and being welcomed with great rejoicings.

CHAPTER IX.

"I eat and sleep and wake, what then?
I eat and sleep and wake again."

PHILIP'S sudden departure had broken the usual monotony of Waxhaw, giving the gossips "sweet morsels to roll under their tongues," in the way of such remarks as, "That 's what Judge Bee gets for trying to make a whistle out of a pig's tail," or "Pore Agnes Carew! Reckon all them fine fixin's she has been hemstitchin' an' rufflin' will be yaller enough befo' that butterfly comes back to marry her," and so on, *ad libitum*.

Meantime the days came and went with their wonted dullness. Spring and summer glided by, and once more the wooded hills around the little town began to glow in the gay livery of October.

It is Saturday afternoon, and, as usual, the same crowd is lounging around the post-office, awaiting the arrival of the mail.

At last, amid the merry notes of the horn and the clatter of wheels up dashes the coach. On this occasion, however, the mail-bags, the four grays, and the debonair driver are not the centers of attraction, since there is a passenger aboard, and as his head appears at the little window, every tongue is hushed, and every neck craned for a glimpse of him. Even the beclouded brain of old Billy grasps the idea that something unusual has occurred, for when Trip begins to bark, he gives the little creature a kick that sends it howling out of sight.

The passenger appears fully conscious of the interest he excites, and seems to enjoy it.

He measured the crowd at a glance, then said, rather pompously, "Driver, take me to the best hotel in the city."

The individual addressed was not in the least overawed by the superior tone and manner, and answered cheerily, "All right, Cap'n. I 'll take yer tow the best tavern in the United States, an' you 'll say so when Major Canada gits done with yer."

So, amid the snaps of the whiplash and a merry blast on the horn, away rolls the coach, much to the chagrin of the crowd, who follow it in groups of twos and threes.

The Canada House was a two-story frame building, painted white, with green shutters at its numerous windows. Running the full length of the front was a broad porch, on which stood comfortable wooden settles, that were never without occupants.

Conspicuous in front swayed the creaking sign bearing the announcement,—

"ENTERTAINMENT FOR MAN AND BEAST."

"Mine host" stood at the one end of the porch, deep in conversation with the negro driver of a wagon just in from his farm, whose load of chickens, turkeys, vegetables, and other good things that delight the inner man of a true Missourian, fully verified the saying that "it took Farmer Canada to support Landlord Canada."

It is in the latter *rôle* that Major Ben has acquired his universal popularity, and, beyond doubt, his military title also, since he freely avowed that "he never pulled a trigger in his life, and never wanted to."

He is small, sinewy, and lithe as a cat. His thin hair, streaked with gray, reaches the band of his immaculate shirt, for a collar has not encumbered his neck since his wedding-day, twenty years agone. His face, clean-shaven, is typical of the genial, generous soul that looks out so merrily from his brown eyes, round the corners of which the crows have already begun to leave the impress of their time-telling feet in upward curves. As the coach

clatters up and the passenger prepares to alight, the Major looks around for one of the several negro boys whose duty it is to receive the guests of the house and attend to their demands.

As none of them were to be seen, he lifts his voice and calls, "Mount Vernon! You Jackson! O-h-h, Solomon!"

In answer, half a dozen rows of white teeth gleaming in as many black faces are seen emerging from various shady nooks, as the "boys"—whose ages range from sixteen to sixty—are saying, "Yass, sah, Mars Ben, sah; heah we am. We come jess soon ez we heerd you; ax Miss Vina ef we din," all the while grinning secretly at the Major's wrath and threadbare threat of "I 'll sell the last one of you down the river with McSim's next drove."

By this time the passenger was coming up the steps with much dignity, followed by the "boys," each carrying some article of his belongings. He was a portly, middle-aged person, with a large face and flabby cheeks. His long-skirted coat and baggy pants were of rusty black cloth. A pointed collar stood up stiffly on each side of his double chin, while around his neck was wound one of those black silk kerchiefs known as chokers.

The downward curves of the deep lines on his face, and his habit of rolling his small eyes upward, as though lost in ecstatic meditation, gave him an appearance quite in keeping with his calling, for he was no less a personage than Elder Josiah Berry, an expounder of the doctrines of the Latter-Day Saints.

Those of the crowd who had followed the coach waited very patiently for his appearance in the hotel-office, each eager to find out his name, his business in Waxhaw, how long he intended to remain, etc. Every eye, filled with interrogation points, was turned upon him when he entered the room, his rubicund face still shining from the effects of his recent ablution, and his damp hair

standing in a roach above his forehead like an aureola. It was a trying position, and one calculated to abash an ordinary individual, but the Reverend Josiah was made of "sterner stuff," and on this occasion fully justified the confidence of the convention that had chosen him for the delicate mission of gaining proselytes for the Mormon Church,—a mission fraught with danger, the Latter-Day Saints having recently been driven from the state by an angry mob.

The Elder therefore fully understood the importance of producing a good impression on his first appearance. He skillfully hedged such of the numerous questions that he did not wish to answer, and his anecdotes were so pithy and so ably told, that when he pleaded fatigue and left the room, he was unanimously voted a "doggonned likely fellow, considerin' he is a preacher."

As time went on, however, he began to express his real sentiments, using great tact at first, and feeling his way, so to speak, as though he was stepping on theological eggs. A knowledge of human nature and a large endowment of animal magnetism gave him the power to hold his listeners, and even to draw them nearer to him. In vain the orthodox ministers warned their flocks against false prophets, and against the Evil One himself, who, they averred, was still, as of old, going about "like a roaring lion, seeking whom he might devour."

The Elder snapped his fingers at his opponents. "Had *he* not been ordained in the order of Melchizedec by God's own high priest, Joseph Smith, and sent forth to preach the WORD, and to call sinners to repentance? To make the lame to walk, the deaf to hear, and the blind to receive their sight by the laying on of hands? Yea, verily, did not John the Baptist, in the spirit, speak through him in the flesh, and thus by word of mouth warn sinners to flee from the wrath to come?"

This statement was received by Major Ben with several grains of salt. Said he to a dozen or so idlers who were lounging on the wooden settees in the office, "Now, I lay, boys, that thar Elder may be John the Baptist, fer as I personally know, never havin' seen the same, but, accordin' ter Scripter, he 's changed a right-smart sence he was on yearth befo'. Mebby he has done furgot the time when he went aroun' with nothin' on, in the way of close, but a leather guddle aroun' his loins, an' livin' on low cusses an' wile honey. I 've free-vittled many a parson, off an' on, but, I lay, this one takes the dodger fer gittin' outsiden fried chicken, waffles, hot corn-cakes, beat biskit, an' sich."

"The Major has been watching the parson with an eye to the profits," suggested one of the company, slyly.

"The parson is one of the prophets," put in a would-be wag.

"Yes, and Major Ben is kinder laying up his fried chicken and corn-cakes in heaven," said a third.

"Whatcher bet, boys," said a fourth, "that the Major don't turn saint, an' begin healin' folks by layin' on of hands, hey?"

"A right-smart chance er good-lookin' sisters to begin with, I reckon, would be the indoocement," said another.

Teasing the Major was a favorite amusement of the Waxhaw "boys," for it usually resulted in his standing treat.

On this occasion he escaped their jokes by suddenly remembering something he wanted for "sepper," and calling back to the white-aproned mulatto behind the bar, "Here, Toby, jess pizen them boys any way they 'll take it"; and in the "boys" heartily, drinking, at the Major's expense, bumpers of peach-and-honey, cherry bounce, and good old Robinson County.

CHAPTER X.

"'Will you walk into my parlor?' said the Spider to the Fly."

This wily, fat spider, the Reverend Josiah, did not try, at first, to induce the male flies into his little parlor. He was much too shrewd for that. His method was to invite all the gentle feminine flies "up his winding stair," knowing well how soon their masculine companions would follow.

He said to himself, "The majority of men leave their religion, like their puddings, to the women, who rule their hearts and their purses."

This seemed to be the case with the average Waxhawian, whose sentiments on the subject Major Ben expressed when he said,—

"I ain't got no call ter be foolin' 'bout them things. I leave it all to Melviny. If she says Methody, then I says Methody; but if she says Mormon, then Mormon goes. Any on 'em is good enough, I reckon, an', I lay, if a man keeps up with the Ten Commands, an' does by everybody as everybody does by him, Saint Peter ain't agoin' ter keep him loafin' long outsiden the golden gates. No, sir! Let the women folks tend to the religion an' the men folks pay the parson. That 's what I tells Melviny."

Among the first to respond to the Reverend Josiah's invitation was Mrs. Dr. Carew, Agnes's stepmother, and great was the consternation among the flock, whose leader she was, when this highly moral bell-wether made the leap across the chasm of public opinion, to browse calmly, so to speak, in theological pastures by the side of the Elder. The greater the sensation caused by her conversion, the stronger she became in faith; and that

the world might know how highly she valued the Reverend Josiah, she soon had him domiciled in her best spare room, much to the disgust of Agnes. Tobias, the negro boy assigned him as a valet, shared this feeling, which found expression one day. Said he, "Miss Agnes, that thar preacher need n't be puttin' on airs an' 'tendin' lak he is quality, caze he ain't nuffin' but po' white trash. He done got a hole in de heel of his sock dis minit."

The portly prophet, however, was in blissful ignorance of his valet's opinion, and also blankly ignored the fact that Agnes avoided him and took but little pain to conceal her aversion, since his would-be admiring glances were almost unendurable.

Notwithstanding that somewhere away down East there was a Mrs. Josiah Berry, and quite a cluster of little Berrys, this smooth-tongued prophet had fixed his pale eyes on Agnes, with matrimony lurking under the lid of one, and visions of the Doctor's shekels under the other.

True, the "Revelation on the Eternity of the Marriage Covenant, including the Plurality of Wives," had not been made public, although the Lord had revealed this command to his prophet, Joseph Smith. In his turn, he had made it known to a chosen few, among whom was his apostle, the Reverend Josiah.

Looking forward, then, to future contingencies, he contemplated the time when he would confer on some fair young saint the honor of being sealed to one on whom apostolic power had been bestowed; and who so suitable as this pretty little sister, with her quiet ways and financial prospects?

At first Agnes thought that nothing could be harder to endure than his smirks and fulsome compliments, but when another trouble faced her, they seemed insignifi-

cant. It was with feelings of horror that she saw her dear old father being drawn slowly into this vortex of fanaticism.

To say that one so upright, honest, and unworldly as Doctor Carew could be led away by such a pernicious doctrine, is to tell the story of hundreds of others.

At first he had listened to the Reverend Josiah with his old-fashioned politeness, not gainsaying one who was a guest in his house; then becoming interested, he began to investigate the subject in connection with the Scripture.

Theologically, no fault could be found with the doctrine, in so far that its precepts were identical with those of the orthodox Christian Church; the main point of difference being the statement that God's revelations did not cease with Christ, but was continued in the persons of his prophets, the last being Joseph Smith, who was equal, in all respects, to Christ himself.

Also, that these revelations would continue to be given to the world, through prophets chosen for the purpose, from time to time, as man's necessities demanded new laws for his government.

"You see, Doctor," said the Elder, in his blandest tones, "in the world's history, so far, there have been eight revelations. Beginning with the one given to Adam, we can easily trace them, in order, through Noah, Abraham, Jacob, Moses, Jesus Christ, and Joseph Smith."

"We have positive and living proof that Joseph was ordained a high priest after the order of Melchizedec, by angels clothed in radiant white, whose heads were adorned with golden crowns studded with gems. When they spoke, their voices were as musical as the harps of heaven. 'Chosen prophet of the Lord,' said they to Joseph. 'Verily, into thy hands do we commit the keys

of the kingdom and the dispensation of the fullness of the times,' thus investing him with full authority, after having revealed to him the holy spot where lay the sacred plates on which God had inscribed His Word."

The persecution of this new sect was also a powerful lever to elevate it in the estimation of many gentle souls, who ever take the part of the weak against the strong.

"Had not Christ been a victim of mob fury at Jerusalem, even as Joseph had suffered at Nauvoo?

"Had not all new truths met with persecution? Witness Copernicus, who devoted twenty-three years' hard study to his new theory, hesitated thirteen more, and even then dared not proclaim it as a truth, but sent it forth as an hypothesis, proceded by an 'if.' This alone saved him from the prison, that, later on, closed on Galileo, and from the stake at which Bruno died, for having had the courage to drop the all-saving conjunction.

"So, also, with Jenner, who discovered the virtue of the virus, and with Morton, who first suggested anæsthetics as alleviators of pain. Both were denounced as interfering with the designs of the Creator, who had made pain the penalty of Adam's disobedience."

Thus the Reverend Josiah expatiated, enjoying the sound of his own oily voice, all the while watching from the corners of his pale blue eyes the Doctor's growing conviction, as a great, sleek cat watches a mouse that it intends to devour when the time comes.

Though lean in person, Doctor Carew was fat in purse, and would be a goodly pillar in the new city of Zion, whither the Saints were now resolved to go. Free thought and free speech being denied them, they determined to seek "a lodge in some vast widerness," and build for themselves a city where they could dwell in peace, and enjoy the blessings of consciences untrammeled.

In order to do this, money was needed; therefore the Revelation of the Tithings had been given.

"Verily, thus saith the Lord: *I* require all their surplus property to be put into the hands of the Bishops of Zion, for the building of My House, and for the laying of the foundation of Zion, and for the priesthood, and for the debts of the presidency of My Church. And after that, those who have been thus tithed shall pay one tenth of all their interest annually, and this shall be a standing law unto them forever, for my holy priesthood, saith the Lord."

Agnes protested against the sacrifice of her father's ample fortune, but, under the combined influence of his wife and the Elder, he was like clay in the hands of the potter.

If hypnotism had been understood at that time, she would have believed him to be its victim. As it was, she was almost inclined to agree with Uncle Zimri.

One afternoon she met this faithful old servant in the hall. Beckoning her aside, he said in a mysterious whisper, "Honey, what you reckons done come ober Mars John? Ize jess been in de parlor wid a backlog, an' while I wuz fixin' de fiah, I done tuk a good look at dem all.

"Dars Mars John sittin' on one siden de chimbly, lookin' pale an' skeered, des lak ole mahster looked foren he died; an' dar, on terr siden de chimbly, sets dat ole fat poppus ob a preacher, argyfyin' 'bouten de Screpter, an' drinkin' apple-jack er brandy-peach 'twixt times, an' dar, right atween 'em, sets Miss Cora, rockin' in her cheer, an' a-purrin' lak a big white cat.

"I tells you, honey, sump'n 's gwine on in dar dat oughtener. Now, doan' you git skeered, Miss Aggie; but jess shore ez you is bawn, yore pa has done been hoodooed. My grandaddy wuz a hoodoo dawkter, an' *he* tole

daddy an' daddy tole *me* jess prezactly how to wuhk de chahm dat'll undo de hoodoo, an' we-all ain' got no time to lose, er Mars John 'll be out dar in de seminary 'long-siden yore po' ma. But we jess gotter wait tell de las' quahter ob de moon. Den I'll ketch a toad-frawg, an' put it in a raid-hot oben wid de led down fass, an'—"

"Oh, Uncle Zim, surely you would not roast the poor little toad alive?" cried Agnes.

"No, honey, oh no. When de led comes off, de toad is done daid, but it's got to be a-hoppin' when I puts it in, or de chahm won't wuhk. Den I takes de grease an' mixes it wid de gall ob a black cat, de fat ob a white hen, an' de blood ob a scritch-owl, an' bile it all down. Ef I rubs dat 'intment on de soles ob Mars John's feet seben times, dee can't nobody hoodoo him. But what ez we all gwine to do tell I kin git dat 'intment?"

Agnes could not laugh at the old darky's simple faith, more especially as her own fears were reflected on his honest face; so she said, soothingly, "Never mind, Uncle Zim; perhaps father will be better when the weather grows warmer, and we may yet see him his old self again."

But she was far from feeling confidence in her words, and her heart was heavy with forebodings.

CHAPTER XI.

THE weary winter dragged itself slowly away, and once more the lilacs began to array themselves in purple and white.

Elder Berry had made the most of his time. In every community there are many who readily yield to the influence of a magnetic leader, and such in Waxhaw became easy converts of the Reverend Josiah. He did not suffer their enthusiasm to flag, but carried them with him so heartily, that they were cheerful in their sacrifices, and ready to follow him whithersoever he chose to lead.

They listened with rapture to his descriptions of the New Zion, "the land flowing with milk and honey," not even asking where in the vast wilderness it was to be found. Finally, the day of their departure thither was set, for Brigham Young and other leaders were already assembling at Council Bluffs, preparatory to the exodus.

Agnes heard the announcement with dismay. "Oh, father," she cried, "what folly, what madness is this? You are not strong enough to bear the journey."

"God will give me strength, daughter. He will care for me even as he cared for Elijah," replied her father, devoutly.

Agnes knelt beside him and took his thin, white hand in hers. "Dearest," she said, "shake off this influence that has been thrown around you, and be yourself once more. Do not sell the old home! I was born here, mother died here, and every room has been sanctified by her presence. Do not go, father; assert yourself, and be master here, as in the old days."

Agnes spoke with such feeling, that her father regarded

her with surprise. Was this his quiet, undemonstrative daughter kneeling beside him with flushed cheeks and shining eyes? The very strangeness of it touched him, and the words that would have given her the required promise trembled on his lips, but they were never spoken.

At the moment Mrs. Carew was heard approaching, her voice preceding her, and the Doctor's whole manner changed. He withdrew the hand that rested on his daughter's head, averted his eyes, and said, in helpless tones, "I must go to New Zion, Agnes,—I *must* go,—my wife wishes it."

Agnes turned away, heavy-hearted. There was one hope left, however; she would appeal to her cousin, Major Canada. She felt sure of him always, although she knew that his wife had become a proselyte to the Elder's faith. He had always been a favorite with her father, and might succeed where she had failed.

She found him in his big willow chair in a shady corner of the porch, enjoying his cob pipe, and seating herself close beside him, she made known her errand.

"Bless your sweet soul, honey," he said, "my hands are tied. Yore cousin Melviny is jess as bad as yore pa; jess bound and sot on New Zion, an' I 've done gone an' give her her haid in the premises. This time, though, it ain't so mighty contrairy to my own wishes."

"Oh, Cousin Ben, have you turned Mormon?" Agnes cried, clasping his arm so suddenly that he dropped his pipe.

"Why, no; God bless you, no! Me turn Mormon? Now, that would be a joke! No; I jess up an' says, 'Thar won't be no great harm done ef Ben Canady takes a little spurt an' sees what 's outsiden Waxhaw.' Why, Aggie, here I 've been these forty year, an' never no furder away from the court-house than twenty-odd mile. Now, you can't blame me, can you? I 've done made

arrangemints to rent the tavern, niggers an' all, jess as it stands, to Cousin Joe Moss. I ain't goin' to sell the wrappin's of my finger, 'cause I 'm comin' back to eend my days in Waxhaw."

"It is different with father, Cousin Ben," said Agnes, sadly; "for he intends to sell the dear old home."

"Never mine, honey," replied the Major; "jess let him sell it. I 'll buy it in, an' then leave a deed in escrow for you. It shall be yore wedding present. Now chirk up, honey; chirk up! Phil 's out thar, you know. Won't his eyes bulge out like a lobster's when he sees us drive up? I can see his face now when you poke yore big sun-bunnit outen the back eend of the wagon-kiver, an' he sees yore purty face shinin' under it!"

"So, chirk up, Aggie," he continued. "Me an' you 'll jess go 'long with the saints for the trip, and when yore cousin Melviny gits to the eend of her tether, I 'll pull her in. 'T ain't hard to manage a woman, ef you jess know how."

Agnes was much comforted by this interview, and took her way home with a more cheerful mind than she had known in many a day.

But another trouble awaited her. At the gate stood a wagon loaded with her black mammy's belongings, while mammy herself, surrounded by her nine ebon-hued offspring, stood ready to depart.

"Why, Mammy Flo, what does this mean?" she exclaimed.

"Hit means, honey, dat Mars John 's done sole we-alls," replied the woman.

"Sold you! Oh, mammy, it can't be!"

"But hit is, honey. I jess foun' hit out 'bouten two hours ago. Miss Cora din tell anybawdy, caze she say dar ain gotter be ainy carry'n's on. She say we-alls got to git off foren you git home, so dar won't be no rackit."

"I never dreamed of this, mammy. I thought that you were going with us!" cried Agnes, and, for the first time since her trials began, gave way to tears.

"Doan' cry, honey!" coaxed the tender-hearted mammy, her own eyes streaming; "'tain't as if we-all wuz gwine outen de fambly. Miss Betty 's done bawt us, an' when you an' Mars Phil gets married, you kin buy us all back."

"All aboard!" the driver calls out sharply; so mammy gives her young mistress a last hug, and having stowed her nine among her household gods, mounts beside the driver, and all move off.

Then Agnes realizes that it is useless to resist the inevitable, and offers no further opposition to her stepmother's plans.

A few weeks later, one bright June morning, a dozen covered wagons, some drawn by oxen, others by horses or mules, rolled out of Waxhaw, headed towards Council Bluffs. Almost the entire population had gathered to see them start, some giving cheers and good-wishes, while others shook their heads, with doleful predictions as to the results of such a wild-goose chase.

But the Elder was jubilant, and his followers saw only the picture he had drawn, "A land flowing with milk and honey, and a city paved with gold"; so they set forth with undaunted hearts.

When they reached the Bluffs, they found a large number of enthusiastic Saints in camp, impatiently awaiting the signal of departure.

Brigham and his apostles had appealed to the government for aid, but the answer had been disappointing in the extreme. However, there seemed no alternative but to submit to the instructions received from General Kearny, that five hundred Mormons would be received as volunteers in the United States army, for service in California, and organize the battalion, and by July 20th

they began their westward march, under the command of Captain James Allen.

Friends and families of the battalion accompanied it. There were all kinds of vehicles, drawn by horses, mules, or oxen. There were women who trudged all day along the dusty trails, bearing their infants in their arms, or drawing a hand-cart on which sat some aged or feeble relative. There were children, too, and men on foot or on horseback, all forming a strange procession, mighty in its inherent zeal, and strong with the strength of fanaticism, which endows its victims with powers of endurance worthy the gods.

Mighty and strong it was, yet oh! how infinitesimally small it appeared in the midst of the immensity of these unpeopled solitudes! the treeless distances of these limitless brown plains!

Major Ben's unflagging good humor cheered many a weary hour of the way, and his ever-admiring wife did not grudge him her meed of praise.

"Thar 's nothin' like this kind of a trip to show what a body is, Ben. I never knowed you befo'."

"Nor me, you, Melviny; you 're lots better 'n I thought you was. Then, on t' other hand, thar 's fokes who did n't know thar was a wolf in thar selfish hahts, until it jumped outen hit's sheep's clothin' an' showed its brazen face."

"Cora Carew, for instance," suggested his wife.

"Shucks! Melviny; I always knowed what she was. Look how she treats Agnes," said the Major, his face flushing wrathfully.

"Yes; it makes me fairly bile over, speshully when I think what an angel sweet Agnes is."

"Angel!" replied the Major. "Shucks! Agnes is better 'n any angel. They jess stan' 'round an' fan theirselves with their wings, but Agnes takes right holt. Look

at our Bennie thar, with cheeks like Missouri winesaps; whar 'd he be now ef it had n't been for Agnes nussing him,—an' us, too, for that matter,—through that spell of fever. Don't talk about angels, Melviny!"

Agnes indeed had endeared herself to every one. Always cheerful, always ready to lend a helping hand, a companion to both old and young, she appeared to some like the guardian angel of the train.

And she herself was often surprised at her powers of endurance and her cheerfulness; yet deep in her heart she knew it was because each day brought her nearer to Philip.

To her, he was all that New Zion was to her companions,—her refuge, her sanctuary, the Mecca toward which every hope of her being turned.

CHAPTER XII.

Doctor Carew bore the hardships of the tedious journey without complaint, although he aged greatly, and daily became more feeble. Agnes trembled lest he should fall under the notice of one Sanderson, a quack who accompanied the train as its physician. Few of his patients could long survive his doses of arsenic and calomel.

On the other hand, there was the Reverend Josiah, who healed a favored few by anointing them with oil and laying on his apostolic hands. This, at least, could do no harm, and her daily prayer was that her father might live to reach Santa Fé, at which place she hoped to find a skillful physician.

At length, on the 12th of October, the train camped in the suburbs of the quaint old Spanish city.

All was excitement. Men shook one another's hands, women embraced and wept, while on all sides were prayers and hymns of thanksgiving to the Lord, who had guided them safely through so many perils.

All this was accompanied by the booming of a hundred guns fired at intervals from the fort, by order of General Doniphan.

During this confusion Agnes slipped quietly away, determined to find medical help for her father, if possible.

One could scarcely believe that the quaint little figure, flitting along the road leading into the town, was the same dainty maiden who had waited beneath the lilacs for her lover. From beneath her sunbonnet, her tanned face looked careworn and haggard. The long waist of her cotton dress fitted her loosely, and was fastened

down the back by large horn buttons. To this waist was gathered a skimp skirt that reached only to the tops of her stout leather shoes.

This costume was a part of the Mormon woman's religion, and Mrs. Carew had insisted that Agnes should adopt it, being careful, however, to avoid it herself.

As Agnes entered the town, the sun was setting, and black clouds fast gathering in the north. Everything was new and strange. The low adobe houses, with their small, grated windows and tiled roofs, appeared weird and wicked. She hastened to the plaza, and looked on every side for a sign that would guide her, but saw none. Some scantily clad, dusky boys were playing near.

"Will you tell me where to find a doctor?" she inquired.

But their answer came in words that were meaningless to her, and they scampered away.

Then sadly she turned back to the camp, yet hoping that the morrow would bring her better luck.

As the camp-fires on the hillside, glowing like the eyes of a grim Cerberus, came in sight, a little sigh of relief escaped her lips and she quickened her pace, for darkness had already set in, and her fancy began to picture a hundred unseen terrors.

Suddenly from a black mass of manzanita a shadow detached itself, and stood directly in her path, causing her to shrink back with a little cry of alarm. But instantly the soft voice of Uncle Zimri reassured her. "Doan' be skeered, honey," he said. "Ize been watchin' for you, caze you better hurry up an' see about yore pa. I reckons dee is conjurin' him now. I see Miss Cora go inter de tent wid de preacher an' dat Sanderson—"

"Sanderson!" cried Agnes in alarm, and waiting to hear no more, ran swiftly toward her father's tent, leaving Uncle Zimri far behind lamenting "de rhumatiz in dat hine laig," and his inability to help his master.

The ruddy tongues of flame from a pile of blazing pine-knots threw into bold relief a dark figure against the white canvas, and Agnes recognized the dreaded quack, who stood contemplating his iron spoon with a grin of malicious delight.

He looked up at her approach, and by the wicked light in his eyes Agnes knew she was too late.

"How dare you!" she said with flashing eyes. "Have you not marked our road with graves enough, without—"

"Agnes!" It was the voice of her stepmother. "Is it possible that you are meddling with any arrangements I choose to make for my husband? Go to your wagon, and to bed, impertinent miss!"

To Mrs. Carew's surprise the worm had turned. Agnes looked defiantly into the cold blue eyes, the round blond face with its bland smile showing the gold filling in her front teeth, and said very resolutely, "Madam, he was *my* father before he was *your* husband, and I shall not permit that wretch to enter his tent again."

"Indeed!" replied the stepmother. "And how do you propose to prevent it?"

"I shall appeal to General Doniphan; once he was father's friend, and I know—"

At this moment the Reverend Josiah came out of the tent.

"He is resting nicely, Sister Carew; so we may as well go to meeting and soothe our souls with the balm of Brother Pettigrew's blessed words of grace."

"Yes, dear brother, let us go; for I stand in need of spiritual comfort. The Lord alone knoweth why he has placed a thorn in my flesh," with a meaning look at Agnes.

"Whom the Lord loveth, he chasteneth, dear sister," replied the Elder, as, followed by Sanderson, they moved away.

"Oh, you whited sepulchers!" said Agnes. "Oh, if I only had the power, I— I—"

Then, like oil upon troubled waters, Major Ben's soft voice fell upon her perturbed soul. "All alone, honey? And how 's yore pa? Hope he— Why, Agnes! what is it, pet?"

"Oh, Cousin Ben!"

That cry, coming from the depths of her troubled soul, and the tears that followed, as the curly head rested on the Major's shoulder, brought his own red bandanna into use, from sheer sympathy with her sorrow, yet unknown to him. When he found how matters stood, he was filled with wrath, but he only said, soothingly, as he smoothed her hair with his small, freckled hand, "Never mind, honey. Don't you fret any mo'; Cousin Ben 'll promus' you that Sanderson won't fool aroun' this tent ag'in soon. You jess go to bed, and Zim will sleep across the tent dore, an', I lay, nobody will go in. You heah, Zimri?"

"Yas, suh, Mars Ben. Ole Zim ain't gwine to leglect Mars John."

"I knows it, Zim; I knows it," replied the Major. "Good night, Agnes, an' go right to bed, honey. Cousin Ben will be back pretty soon, an' set up the rest of the night." And the Major moved softly away.

Agnes stood silently watching the dancing shadows thrown upon the canvas by the flickering flames. Near-by she heard the little stream falling over the rocks, like tinkling cymbals. From afar came the voices of the congregation in the meeting-tent, rising and falling in the closing hymn. The Elder and her stepmother would soon return. She felt that she could not meet them again that night, at least; so she would take a look at her father and then retire. The flickering light of a tallow-dip fell on his thin face, now pale as death.

She scarcely dared to breathe, for fear of disturbing a slumber so calm and childlike. But the wan hands folded across his breast, over which lay the long, white beard, the look of heavenly peace upon his face, that so often of late had been drawn with pain, produced a strange impression upon her.

"Father," she murmured, as she touched his hand. "O God! it is icy cold! Father! father!"

But no answer came from lips that would never speak in mortal tongue again. Her father was dead.

Fortunately there are limits to human endurance. Her overtaxed nature gave way under this blow, and for a time, at least, Agnes found temporary surcease from sorrow in oblivion. And for many days thereafter, the present, the past, and the future, the living and the dead, were as one to her.

When Major Canada reached Sanderson's camp, he found that worthy still absent at "meeting"; so, like another Dame O'Shanter, he sat down before the fire, and "nursed his wrath, to keep it warm."

His meditations were soon interrupted by a nasal voice, saying, "Wal, Majer, and heow dew you dew? Guess ye must be ailin', or you would n't be here this time o' night. A little dose o'—"

"Hole on thar, Sanderson," interrupted the irate Major. "You 've dealt out enough of yore pizen for one day, an', I lay, if ever I see or heah tell o' you bein' roun' Doctor Carew's camp again, you 'll need a little dose yourself, an' a nuss, too, in the bargin. You heah me, don't you?"

Sanderson measured the Major's size, and jumped to the conclusion that so small a man would not dare pit his strength against such odds, and became bold in proportion.

"Threatening me, hey?" he said. Then, imitating

Major Ben's voice and manner, continued, "You heah *me*, don't you? *I* lay, that if you don't take yoreself offen these heah premises, you 'll cool yoreself in the guard-house till mawnin'."

The Major simply smiled,—a habit of his when angry, that Sanderson did not know,—so, becoming more emboldened, he advanced towards Major Ben, saying, "Maybe you want me to show you which way to go. Maybe—"

But he did not finish the sentence. The little Major sprang upon him so suddenly, and dealt such vigorous and well-timed blows, that his next words were cries for mercy.

"Oh, you need n't be skeered," said the Major. "I ain't never killed a critter yit, an' I don't want to; but don't you take any mo' chances with me by foolin' 'round Doctor Carew's camp. You heah *me*."

Here the drawling voice of the Reverend Josiah interrupted. "What 's to do now, hey?"

Major Ben released the prostrate Doctor, and rose. "Got anything to say against the proceedings, parson?" he asked, quietly smiling.

"Oh," ejaculated the Elder; "it 's the grammarian, hey?"

This sent the Major's blood up to 212° F. "Looky heah, Josiah; don't you call me a gray mareon! I 'm a Missourian, corn-fed an' raised in a pen! Mebby I kyant heft a barr'l o' apple-sass ner pail a keow like you Yanks, but I 'm right smart at layin' hands on parsons. That 's my speshulty; so take off your long-tail coat an' come on! Saint or sinner, it 's all one to Ben Canada this night."

But the Elder, murmuring that he "had n't ought to set a demoralizing example to the camp," sneaked away, and the Major had to forego the pleasure of an encounter.

For many days Agnes hovered on the border line between the here and the hereafter, and Mrs. Carew, glad to be rid of her now useless stepdaughter, readily acquiesced in the proposal of her cousins to take charge of her. Under their tender care, Agnes at last slowly took up again the feeble thread of her life.

They continued their journey, going southward along the Rio Grande, but many were worn out by the hardships of the journey, and their enthusiasm had waned; so when the Captain decided to send back those who encumbered the train, and gave all who wished to return permission to do so, a number determined to join their brethren at Salt Lake. Among the first to depart was Mrs. Carew, accompanied by the Elder.

As the carriage which bore this well-matched pair rolled away, Uncle Zimri fell on his knees and caught the Major's small, freckled hand between his black palms. "Oh, Mars Ben," he said, "I thank de Lawd dat you-all done baught ole Zim! I thank de Lawd dat I doan have to go back wid *dem* white folks!"

"Yes, Zim," said the Major, in his soft voice; "an' while you air about it, jess thank Him that you ain't a Mormon, an' that you don't have to purtend to be one, nuther. Thank the Lawd for that Tenth Article of theirs. It makes 'em let the Injuns in, but it bars you out. That's because you air a nigger, Zimri,—a descendant o' Cain; though I allers allowed that Ham was the man to blame for it. But it don't mattah, jess so as you *air* let out. Jess keep a still tongue, ole boy. You an' me'll jess lay low till we gits to Californy; then may the divil fly away with the Saints!"

Only five women—the wives and families of the officers—continued their journey. As Major Ben held a petty office, it was Agnes's fate to go on. It would have broken her heart to return.

"I 'm mighty glad that little Agnes belongs to us, Ben," said Cousin Melvina. "She would n't have lived a week ef she 'd had to go back with Cora Carew and the Elder. Why, that dear girl ain't got no hold on life but in the thought of finding Phil Bee at the end o' the trip. I never see anything like it. I 'm shore I war n't never so sot on you."

"Reckon you mought er been ef I had been at t' other eend o' the world, Melviny; an' as to Aggie, you jess keep her courage up," said the Major; "for if Phil Bee 's in Californy, me an' Zim will fine him. Agnes has done sot her haht on him; though, fur as I 'm concerned, I can't see why. If I had a hive o' wax an' a dryin' day, I could make her a better man."

Having been relieved of its drawbacks, the battalion continued its march without interruption, and the day after Christmas reached the Gila. Still it did not pause. Across the bleak Colorado desert it toiled, then upward over the range that divides the great, glittering expanse of sand from its bewitching neighbor, California.

It halted on the summit, so that the weary pilgrims might feast their eyes on the shifting lights and shadows, on soft, smiling valleys, somber hills, and snow-capped mountains that seemed floating on a sea of clouds.

On the north rose the white peaks of old Grayback and San Jacinto, while far to the south stretched the long Bernardino range, shadowy with pines and oaks, and losing itself amid the mists of Mexico.

On January 21st they reached Warner's ranch,—a vast hill-inclosed highland valley. Here lay thousands of acres of rolling upland, twenty-five hundred feet above the sea, yet, as early as January, beginning to be clothed in the tender green of alfilerilla, burr-clover, and other grasses.

Here, then, was California.

To reach this Mecca, what sacrifices had been made! what hardships endured!

They left the pleasant spot with regret, but being in the service of Uncle Sam, they must obey his orders. Therefore they took up their line of march toward the southwest, since San Diego was their destination.

CHAPTER XIII.

"Love is merely a madness, and deserves as well a dark house and a whip as madmen do."—SHAKESPEARE.

ON January 29, 1847, the Mormon train camped in the suburbs of the quaint old Spanish town of San Diego.

That night, after Agnes had gone to bed and lay dreaming, no doubt, of Philip, Major Canada and his wife sat by their fire, talking over the past and planning for the future.

"Well, Ben," said she, with a happy sigh, "here we air at our journey's end. The war in Californy is over, I reckon; so we might as well settle down here as anywhere. 'Pears to be mighty fine weather for the time of year, an' they say it lasts right along."

"Yes, Melviny," replied the Major; "I done made up my mine to drive my stakes in this section, providin' you was agreeable to the idee. I 'll jess git a big track of land, an' settle down and *live*. Look at them ole Dons! They never do a lick of wuhk, no more 'n a king. They jess lay aroun', smokin', or drinkin' mescal, while the Injuns tend their cattle,—thousands of head, an' their hides alone wuth two dollars apiece. It beats keepin' tavern in Waxhaw. Then, I reckon, Agnes an' Phil 'll be gittin' married, an' I hev been thinkin' thet you 'll be mighty lonesome without her, away out on the grant, Melviny."

"Well, yes, Ben; I reckon 't would be mighty lonesome for me, 'speshully at fust," agreed the unsuspecting wife.

The Major looked thoughtfully into the smoldering sage-brush fire, and then, with a sly wink at Zimri, who sat on the opposite side smoking his Missouri cob, he

said, suddenly, "Melviny, whar 's thet shirt-collar I was married in?"

"Why, the idee, Ben Canada! What ever made you think of that old collar?"

"'Cause—er, well--er—it 'peers to me that—er—it might be a good idee—as long as you air goin' to be so lonesome out there on the grant—'peers to me—that it mought be a good idee for me to—*git sealed.*"

"*Git*—WHAT!" cried Mrs. Canada, springing to her feet, and looking down at her lord in astonishment. "Git what did you say, Benjamin Canada?"

"Sealed, Melviny,—sealed; ain't thet what you Mormons call it? Git me another—" The Major hesitated, since he shrank from profaning the sacred name of wife; so he said, "another woman,—a youngish woman I reckon will be best. You kin keep right on doin' the cookin' and sich, Melviny; 'cause you can cook to suit me better than a new hand, an' *she*—"

"Looky heah, Ben Canada; there ain't goin' to be any *shes* 'roun' my premises; I can tell you that, right now; an', what 's more, ef ever I ketch you settin' up to a female, or makin' sheep's-eyes—"

Here Mrs. Canada's feelings overcame her, and, hiding her sweet, homely face in her gingham apron, she began to sob.

This, of course, put a quietus on the Major's teasing, and he turned his attention towards restoring calm, although, by way of extenuation, he added, "But, Melviny dear, you air a Mormon, ain't you?"

"No, I ain't! I despise the very name!" said she, emphasizing her assertions with a stamp of her foot. "I 'm a Methodist, dyed in the wool; so there, now!" and she resolutely wiped away her tears.

"Melviny, you 're a brick, sho'! Ain't she a brick, Zim? Heah, honey, shake, shake, an' we 'll call it

square, an', what 's mo', we jess lite outen this heah nest o' hypocrites for Yerba Buena befo' the week 's out."

"A week, Ben!" said his wife; "I say let 's go day after to-morrow mawnin'. You jess square up with the Captain, and we won't lose no time foolin' 'roun' heah; an' if things don't run without hitchin', we 'll jess ship for ole Mizzoury."

The next afternoon, the Major came into camp, well pleased that his plans for their departure north were made, and, after an early supper, suggested that they accept an invitation to a fandango at the Bandini residence.

"We shorely oughter see something of the way they do things up in these parts, gyurls," he said to his wife and Agnes; "so put on your best bib and tucker, an' let 's go up."

"But what will we wear?" asked Agnes, glancing at her travel-worn garments.

"Oh, I reckon we can fix that," said Cousin Melviny. "My black bumbazine is good as new, an' I know jess whar to lay my hands on yore white nainsook. You can wear your long cape over it, you know."

"Well, let 's hustle," said the Major. "Here, Zim, git out yore banjo an' my old fiddle. We 'll just give 'em 'Turkey in de Straw,' an' 'The Arkansas Traveler,' an' mebby 'The Devil's Dream.'"

"No, you won't, Ben Canada," said his wife. "If you an' Uncle Zim air goin' to the fandango to show off, jess go along by yoreselves; Agnes an' me 'll stay heah."

Of course the Major was overruled, and Bandini's guests never dreamed of the musical treat they had lost.

When they reached the house, the festivities were well under way; so that their entrance was scarcely observed, the attention of every one being centered on the sixteen couples who were dancing the lively *jota* amid clapping of hands and lively songs.

Our Missourians had never seen anything to compare with these people in their picturesque costumes, cut in a fashion so strange. It seemed as though they had stepped across the chasm of a century. However, the uniforms of Uncle Sam's officers gave the scene the modern touch needed to complete the picture, as also did the homespun suit of Major Canada, whose enjoyment was manifested in various ways.

"It 's prime, Melviny, prime," he said, after having joined in the applause vigorously; "but I 've saw as good in ole Mizzoury. Next set, let 's me an' you jine in an' show 'em how to cut the pigeon-wing, an' then Zim can pat juba for 'em. That 'll open their eyes, I reckon!"

As he joyously devised plans for the entertainment for Bandini's guests, he looked for approval into his wife's eyes, when all hopes of pigeon-wings and juba vanished into thin air.

Presently a buzz of admiration was heard, and all eyes turned towards a couple who took their places ready to dance the fandango.

Ysidora had never appeared more charming than at this moment. She wore a pale-blue satin dress, brocaded with silver threads. It hung in shimmering folds, and was just long enough to clear the tops of her satin shoes. The pointed bodice, cut low, left bare her arms and shoulders, which were like ivory. Her dark hair, combed low over her ears, was coiled around her shapely head in a braided coronet, and held in place by jeweled combs, one of which, taller than the rest, confined a filmy white reboso,—an article of dress that only a Castilian knows how to wear. The one dash of color needed to make this costume perfect was the bunch of Agripina roses worn at her belt.

As she stands waiting to begin the dance, her head slightly poised on one side, her ample skirts held lightly

out with both hands, displaying her pretty feet and ankles, let us glance at her partner.

His costume is no less striking than hers. His broad-brimmed hat, brightened by gilt ornaments, is set jauntily on the back of his head. His short, round jacket of purple velvet is faced with yellow satin and ornamented with gilt buttons. His vest is handsomely embroidered with cherry and gold. His wide velvet breeches are slashed on the outside of the leg, and ornamented with gilt buttons, while a cherry-red sash around his waist falls gracefully in folds to the knee.

As these two bright creatures moved through the forms of this most pleasing dance, keeping time with castanets and the unstudied movements of hands and arms, the spectators applauded loudly, and cries of "Buena! buena! Las mariposas!" were heard on all sides.

And well might they have been called "the butterflies," so gaudy were their colors, so airy their movements.

When the music ceased, some one gave the signal, *Bombo*, at which one of the dancers was expected to sing.

All eyes were turned on the señor, who should, by right, take the initiative. Unfortunately, the song rehearsed for the occasion had taken wings; so the first one thought of was substituted,—suggested, no doubt, by the lady's red roses.

"O, gin my love were yon red rose,
That grows upon the castle wall,
And I, mysel', a drop o' dew,
Into her bonny breast to fall," etc.

The old song is familiar to every one.

As it proceeded, the clear baritone filling the room with its perfect harmony, Agnes became more and more perplexed.

What was there about this dancer so strangely familiar? He was fair, for a Spaniard, yet not more so than the blue-eyed Captain Pedoreña, a pure Castilian, who stood near him.

"Where had she seen that winning smile, that roguish glance of mirth and mischief, that debonair manner?"

The music recommences, the dance is resumed, but Agnes neither sees nor hears the things around her. She is back in old Missouri, waiting among the lilacs for her lover, and through her brain dim echoes of the old song are faintly throbbing.

" O, were my love yon lilac fair,
Wi' purple blossoms in the spring,
And I a bird to shelter there,
When wearied on my little wing," etc., etc.

Cousin Melvina, noticing her pale cheeks and drooping form, reproached herself for bringing the poor child too soon amid such exciting scenes. "I might of knowed better," she said to herself. "I 'll jess git her out on the porch, in the fraish air, an' as soon as Ben will go, we-all will make for the camp."

So thinking, she slipped her strong arm around the girl's slender waist, and passed out onto the broad veranda. She found a sheltered seat at the far end, beneath a trellis of blooming roses, and the broad, drooping leaves of a large banana tree.

"How sweet these flowers do smell," she said, as she drew Agnes's dark cape around the girl's slender form. "Now you jess set here, honey," she continued, after making her charge comfortable; "an' I go in an' git Ben, an' purty soon we will go. Ben 's in his illimint in there, watchin' them curious critters cuttin' capers, but I 'll have him here in no time."

"Don't hurry him, cousin dear," said Agnes. "It is

restful here in this sweet-scented corner, and I can wait until he is ready."

She was glad to be left alone for a while with her own thoughts, and sat there enjoying the fragrant air, watching the glittering stars above her, and listening to the sounds of revelry that came from within, yet thinking, all the while, of the dancer and the song that had so strangely agitated her.

She did not recognize him as Philip, for never in all her dreams had she pictured him in such an attire nor amid such surroundings, yet never since her parting with him had he seemed to be so near her as to-night.

"Can it be that he *is* near me, and that I shall soon see him?" her heart whispers, beating faster at the thought.

Some one coming down the long veranda causes her to look in that direction. Ah, it is the gay fandango-dancer and his pretty partner. She is leaning on his arm and looking archly up into his handsome face, that is bent low to catch her words. They pause not far from her, beneath a light that is flaring from a post in the court. This house, like other Spanish houses, was built around three sides of a spacious court, the fourth side opening into a garden, or park.

Their words reach Agnes with startling distinctness.

"Promise you not to waltz again with Lieutenant Gillespie? Why, he is the best waltzer in the room! How very disagreeable you can be, Señor Philip; a perfect Othello."

As Philip's name fell from Ysidora's lips, Agnes looked more closely at the gay cavalier, and as the light flared full upon his face, she recognized Philip Bee. Was it, could it be, *her* Philip's voice that she heard?

"Yes, Ysidora mia; I confess to being jealous. There is no *true love* without jealousy."

Ysidora's merry laugh rang out upon the air. "What a jolly sentiment! and what a lively time *true* lovers must have, ogling each other with their yellow eyes! I must try writing some rhymes to Jaundiced Jealousy, if I can imagine how one feels when obsessed by such a devil."

"Oh, come now, señorita," said Philip, a little piqued; "confess the truth; were you never the least bit jealous of me?"

"The idea, Señor Self-conceit!" she replied, scornfully.

"Not even when I was the fair Lucía's most devoted?" he continued.

"No, sir! not even then, I do assure you, and *not even* of Agnes!" said she, triumphantly, noting the start of surprise he gave at the name. But, quickly recovering, he asked, "What do *you* know of Agnes?"

"I know that you wear a watch-charm with her name engraved on it. How long could I wear a talisman bearing the name of Archie, before you would ask me twenty questions about it? Now, *I* have never asked you to tell me who Agnes is. Of course, I have no right to ask, but I will; so tell me truly, who *is* Agnes?"

If Philip had been the proper kind of a hero, he would have told her, then and there, all about his little Missouri sweetheart. Instead of doing so, however, he said, with affected carelessness, "Agnes? O, Agnes is a little sister of mine away back East. You need not be jealous of *her!*"

But Ysidora determined to test the truth of his words, and said, "Philip, I have a fancy for that pretty charm. This is my birthday—give it to me."

It cost him a momentary pang to part with it, but, under the enchantment of those dark, languishing eyes, how could he hesitate? When a man is infatuated, as Philip was, he is not really responsible.

Of course the charm was given to Ysidora, who accepted it with one of her most winning smiles; then, arm in arm, they disappeared among the dense foliage of the garden beyond.

As Agnes sat there, like one in a dream, staring at the spot where they had been standing, she saw a tiny gleam of gold form itself against the dark earth. It was the little charm that Philip had promised to wear, so lightly parted with to one who prized it not.

Agnes picked it up, then hastened towards the ballroom, hoping to find her friends and leave the place before Philip should know of her presence there. Fortunately, she met her cousin Melvina coming to say that they were ready to go.

"Why, Aggie dear, what ails you? You look like a ghost!" cried her cousin, in alarm, as she lovingly put a supporting arm around the drooping girl.

"Cousin, I have seen Philip. Do not say another word now. If you love me, take me away quickly, and, later,—I will tell you all."

Mrs. Canada's womanly instinct divined how Agnes suffered, and as they walked to the camp she spoke no words of comfort, yet her encircling arm was eloquent in its silent sympathy.

Long after the Major was in the land of dreams, the two women sat talking, for neither could think of sleep. In her first flush of indignation, Cousin Melvina wanted to arouse her husband and send him forthwith to call this recreant lover to account. At length, however, she became calmer, and even gave a reluctant consent to say nothing to her husband until they were well on their journey, if at all.

"But it does beat all how you take it, Agnes," she said. "You 're jess a riddle to me, an' I never did guess a riddle in my life. Why, 'f it had er been *me*, I 'd er jess

walked right up an' er faced 'em both, an' er tole 'em *what* WAS WHAT!"

"Here you've been jess livin' for Phil Bee,—jess had yore heart sot on him as if he was one of them idols, an' you no better 'n a heathen, an' then to think that he ain't any stiddier than if he was made o' wax. Then when you fine it out, you don't 'pear mad,—you don't even cry. Why, honey, I 'd howl ef Ben was to treat me that way. Yes, you air a riddle, Aggie, that I can't read."

"Then do not try, dearest," said Agnes; "for truly I cannot read myself. I feel as though I had died to-night, and that it will be my ghost who will take up life to-morrow."

"It 's a heavy cross to bear, Aggie darling," said her cousin, softly.

"Yes, but other women have staggered along the same desolate path as heavily laden as I, and have walked *alone* to the end, while I have you and Cousin Ben to comfort me. I thank God for that, dearest. I am not all bereft," said Agnes.

Two days later, as they jogged along northward, Agnes being out of the wagon for a walk up a hill, Mrs. Canada said, "Ben, guess who that pretty, wax-faced man was who danced with the blue-satin girl that night at the Spanish ball."

"How should I know, Melvina? He ain't nuthin' to me," replied the Major.

"Well, you ought to know," said she, "'cause he is a Waxhaw man. That was Phil Bee.

"Aggie heered him makin' love to his blue angel, an' she has done give him up; so you be shore an' don't say anything to her about him."

Even as she was speaking, Major Ben began to turn his horses' heads southward.

"What air you turnin' aroun' for?" asked Mrs. Canada.

"I 'm goin' straight back to Sandy Ago," replied the Major, while a look of grim determination settled in the lines around his mouth.

His wife grasped the reins and brought the horses to a standstill.

"Air you plum crazy, Ben Canada?" she cried. "We 've done left Sandy Ago; we ain't got no use for that old town."

"I 'm goin' back to settle with that villyun, Melviny. He sha'n't tromple on the feelin's of my little gyurl. Come, jump in, Aggie,"—at that moment she came up to the wagon—"jump in, an' we 'll jess go back an' show Phil Bee—"

"We will do nothing of the kind, Cousin Ben. If you love me,—and I know you do,—you will go straight on to Yerba Buena, and talk no more about settling with any one," said Agnes, as she climbed upon the seat beside him, and, taking the lines, started the team northward again.

The Major rode for some time in silence, puffing at the Missouri cob. At last, as though unable to solve the perplexing problem of a woman's heart, he said, very softly, "Agnes—"

"Yes, cousin."

"Don't you keer?"

"Yes, cousin."

"Then why—" But Mrs. Canada's admonitory kicks, and, as a last resort, her foot planted firmly on her husband's pet corn, gave him, for the moment, other food for thought, and a curtain lecture, at the first opportunity, effectually silenced him on the subject.

It was May before they reached a cluster of houses near the low, curving beach known as Yerba Buena, but

just beginning to be called San Francisco, after the bay and the presidio.

Nothing could have been more desolate than the low, wind-swept peninsula, over which, even in this lovely spring month, clouds of sand were whirled, and the cold ocean fog crept in, sending the travelers, shivering, in search of warmth. They pitched their tent on a steep hillside to the north,—now Telegraph Hill,—or perhaps it would be more correct to say that they erected their residence there, since it was a typical one of the time, being constructed of canvas and goods-boxes.

To people accustomed to camp-life, as they were, this unsubstantial house was not uncomfortable, and the view that it commanded was a source of unending delight.

The windy solitudes of the treeless peninsula, and the dreary monotony of the scraggy hillsides, enhanced, by contrast, the glorious outlook to the north, where lay the lovely bay, with its white-capped waves and ever-changing colors; or, to the south, bounded by the graceful outlines of the Contra Costa hills, behind which rose the grand old sentinel, Mount Diablo, was a source of endless pleasure.

From their perch they could also look down upon the growing town, where the sale of lots had already begun. Of the 489 inhabitants, 83 were between the ages of five and ten. The adults often had social gatherings, and even the question of starting a school was agitated.

The Fourth and the Seventh of July were celebrated with appropriate ceremonies.

"'T ain't nuthin' like an ole Mizzoury Fourth, with its bran-dance an' barbycue," said the Major; "though it 's fair to middlin', 'speshully that speech of Doctor Semple's. I ain't heered a better sence the American eagle flopped its wings over Henery Clay when he stumped it for President."

None of these things were satisfying.

"Californy 's mighty fine for weather, but ole Mizzoury 's good enough for me," declared Mrs. Canada with a sigh.

"Yes, an' for me, too, honey," added the Major. "Livin' in a rag shanty up on a windy hill, eaten' flour braid at fifty cents a loaf, an' only rice an' beans an' sech po'-white-trash vittles, ain't keepin' tavern in Waxhaw; now, is it, Melviny?"

"I 'm mighty glad that I rented the place to Cousin Joe Moss, stiddier sellin' it. Sometimes I git to thinkin' bouten them pore niggers, an' wonder ef Cousin Joe gits along with 'em without the cowhide."

"He jess better not tech 'em!" said Mrs. Canada, with a flash in her eye that boded no good for Cousin Joe.

"Then thar 's the ole fahm, with the apples gitten' raidy for cider; an' thar 's the fat hawgs jess wallerin' in the cawn! My! but I wish I had some sassage an' hominy for sepper! Then thar 's—"

"Don't say another word, Ben Canada," cried his wife; "'cause I jess can't stand it. Go right down to that Ragtown an' sell this outfit befo' dahk. If you can't sell it, then give it away to some pore fool of a Missourian who has lost his sense and wants to stay heah."

"Do you see that ship in the bay? Fine out when she sails, an' we-all will sail too. I 'd ruther trust ourselves to providunce on the oshun, than to Injuns on the land."

This settled the matter, and after a safe voyage they reached New Orleans, from which point they went via the Mississippi to St. Louis, and from there by steamboat up the Osage to Waxhaw.

Their return was a red-letter day in the history of the town. As the little stern-wheeler came puffing and snorting into sight, the Canadas (including Agnes and Uncle Zimri, of course) stood on the hurricane-deck,

enthusiastically waving hats and handkerchiefs; and when they were recognized by the inhabitants, who never failed to gather *en masse* on the bank of the river to welcome the little steamboat, such a shout went up, that if ever the "welkin" rang around Waxhaw, it did at that moment.

Then the flag was run up over the court-house, anvils were fired, and old Billy, with Trip at his heels, followed them, singing, "Hail, Columbia! happy land! I 've shuk the Major by the hand."

In due time, Cousin Joe Moss handed over the reins of the Canada House. The ancient order of things was restored, and the days that came and went were days of "peace and pleasantness."

Never before had the Major's wooden settles been so constantly occupied. He was the hero of the day, all minor topics, such as the weather, the crops, religion, and politics, paling before the news, that spread like wildfire, "Ben Canada's back from Californy!" From far and near they came to hear the voice of one who had seen with his own eyes the wonders of this new Eldorado, and the Major, nothing loth, repeated again and again the story of his adventures, always adding, however, "Californy 's all right, I reckon, fur as weather goes, but old Mizzoury 's good enough for Ben Canada. Stay right whar you air, boys; stay right whar you air!"

CHAPTER XII.

"There, every gentleman professing arms,
Thinks he is bound in honor to embrace
The bearing of a challenge for another,
Without or questioning the cause, or asking
Least color of a reason."

BEN JONSON.

ALTHOUGH Philip had written home, he had not heard from there, and knew nothing of what had transpired during his absence. Therefore he was unaware that the Canadas had been in California, and that Agnes had been so near him.

He and his chum, Charlie Wild, had continued to linger in San Diego during the winter of 1847, although the war was practically over and the army had been disbanded.

They scarcely seemed to realize how rapidly time was passing in this lotus-land, where each day is so like its predecessor, — days of sunshine and ever-blooming roses.

His infatuation for Ysidora continued unabated. Not a day passed that did not find him idling at her side, — boating, riding, dancing, yet always near her.

These attentions were pleasing to the fair señorita, but not so to her dueña, whose interests were too closely connected with those of a certain grandee in Spain to allow her approval of such conduct.

At first she had remonstrated mildly, then, finding herself unheeded, tried more vigorous protestations.

"Again comes the Americano!" she cried one day as she saw Philip approaching. "Caramba! Señorita! It must not be!"

"Must not, señora?" replied Ysidora; "surely, you forget yourself."

"I forget not myself. I am thy mother's sister, even

though I am thy dueña; and I say again, this must not go on, else shall I write to Señor Don Tomaso, and tell him *all*."

"A fig for Don Tomaso!" laughed Ysidora; "and a fig for thee, old raven! Write to him if it will give thee pleasure, and I will mary Señor Philip the minute after."

"Ah, thou silly moth! thou empty-headed butterfly! Marry a wandering gringo, and live like a peasant, when there are castles and estates at thy command in fair Spain! No, no, thou couldst not be such a fool."

"Then, señora, meddle not with my affairs. Don Tomaso and his castles will await my pleasure, and, what's more, my aunt, one word from thee to *him*, and thou shalt never see thy beloved Spain again."

Having thus settled matters, Ysidora danced away to greet her handsome Americano, not dreaming that her dueña, with fears for her own future comfort, was at the moment secretly writing to the Spanish admirer, making him fully alive to the fact that a formidable rival was in the field, and that unless he brought the influence of his presence to bear, his intended bride would be lost to him for ever. In fact, she was rather glad of an excuse to bring matters to a crisis, since she was weary of America and longed for the sunny skies of her native land; and having secretly dispatched her missive, she said no more, but quietly bided the issue.

Meantime, Philip, unsuspicious of Don Tomaso's existence, continued to play the *rôle* of lover, and Charlie Wild, to watch him patiently, believing that he would by some means be brought to his senses, or that his infatuation would wear itself out. But the winter wore on, and Wild was forced to confess that his theory was untenable, and began to fear that his poor friend was as mad as a March hare.

Wild had now grown inexpressibly weary of this lotus-

eater's existence, and as he had not partaken so freely as to lose all remembrance of a life more fitted for a man, he determined to go elsewhere and take his proper place in the world.

The eternal twanging of guitars with the accompaniment of pattering feet began to jar upon his nerves. The bull-baitings, chicken-pullings, and other cruel sports, where dumb creatures were taken at a disadvantage and tortured, revolted him, and even the perpetual sunshine and flowers began to pall his senses.

"See here, Phil," he said one day; "I have had about enough of this kind of a life. It is actually moral and mental suicide to continue it longer. In another year I shall have no more soul than a clam. Come, now, Phil, what say you to a change? Let's go back East, and be men among men, and leave this Sardanapalus business behind us. Now, don't pull such a long face, simply because you think you are in love."

"Think!" cried Philip, earnestly; "I *know* I am, Charlie."

"My boy," said Wild, sagely, "love is a disease. I have made the subject a study. If it is not, then why do people recover from it as from other diseases? It should be classed with dipsomania, kleptomania, and other diseases of that sort. It requires only a strong and persistent effort of will-power on the part of the afflicted, and lo! his brain clears and he laughs at the follies he committed while under the delusion. You have been afflicted so often before, Philip, and have recovered, that you surely must know the truth of the matter yourself. If you were a *roué*, now, it would be different; but you are not."

"That *I am not!*" exclaimed Philip, heartily. "I respect all good women for my sweet mother's sake, as well as for their own. Now, really, Charlie, you know

that a sweet lady becomingly dressed is the prettiest object on earth. I just love them all, as naturally as I breathe."

"Which is well enough, Phil, in a general way, but you know there is one in particular who has a right to your especial devotion, and that, sooner or later, you must give up Ysidora. Of course you have not asked her to marry you," said Wild.

"No, or, at least, not so directly but that she evaded me; but I fully intend to do so," replied Philip, resolutely.

"What!" exclaimed Wild, looking his friend full in the face; "and that while you are promised to Agnes Carew!"

"Now, see here, Charlie; you are in an ancient, romantic rut. You take your cue, not from the true idea of honor, but from certain novels where the hero or heroine rant through twenty chapters over the woe of marrying one person while loving another, which they do in the end, and the lie comes out, and both lives are wrecked. What nonsense! what morbid folly! I think too much of sweet Agnes Carew to serve her such a scurvy trick, Charlie. I would not wrong her by such a lie. In time, she will forget me. If she were here, I would tell her the truth."

"Well," said Charlie, "you certainly present the question in a new light; so 'gang your ain gait,' as the Scotch say; but the truth of the whole matter lies in a nutshell, — Agnes was too easily won;

> " 'For easy things that may be had at will,
> Most sorts of men do set but little store.' "

"Or in other words," said Philip,

> " 'An apple that falls from the tree without shaking,
> Is far too mellow for me.' "

"Well, old fellow, you certainly cannot complain of your Spanish crab-apple on that score; but go now and shake again, vigorously this time, and let it be the last. If she falls, I will stay with you until the worst is over; otherwise, another week must see us 'over the hills and far away.' It is no use dallying any longer."

Acting on this sensible advice, Philip arrayed himself with great care, surveyed the results approvingly in the little mirror, and sallied forth, determined to know his fate.

Ysidora, in a hundred subtile ways, had given him to understand that she had loved him, yet he had never been able to obtain a definite answer from her. She was as elusive as a veritable will-o'-the-wisp.

On this eventful afternoon he found her alone in the garden, reclining in a hammock that swung from the branches of a huge pepper tree, whose gracefully drooping branches laden with long clusters of red berries formed a shady arbor around her. She was so deeply absorbed in her novel, "Thaddeus of Warsaw," that she did not know of his presence until he stood beside her and softly spoke her name.

"How you startled me, Philip," she said with a winning smile. "I was miles away with the hero adored by so many romantic ladies. And, by the way, I am forced myself to admire the nerve that enabled Thaddeus to resist so many fair damsels, for it *was* a trial to him. Do you remember that whenever an heiress or a countess fell hopelessly in love with him and 'told her love,' how he would 'clinch his teeth in agony of spirit,' or 'fix his eyes upon her with delirious horror,' or 'stand aghast, not knowing what to reply,' and so on? Oh, it 's fine reading, Philip, and I almost wish I could have known Mr. Sobieski. I would have made love to him, sure, just to enjoy the effect upon him"; and Ysidora laughed so

merrily at the idea, that the canary-bird overhead began his maddest carol.

Philip seated himself close beside her, and said very gravely, "Ysidora, do not ridicule an emotion so sacred as love, else you will dwarf your soul."

She lifted her head saucily, "Ah, Señor Don Avispa, what a 'grand gloomy, and peculiar' air you can assume upon occasion. One might imagine that you yourself were the sentimental Thaddeus returned in person. I have read somewhere that such things could be."

Philip was not daunted by her epithet of Mr. Wasp,— she had applied the name to him before, when piqued,— but gently took her little hand, on every finger of which a jewel gleamed, and said, seriously, "Ysidora, I am going away."

He tried to catch the expression of her dark eyes, but the heavy lashes had veiled them; yet he thought her voice trembled a little as she asked, "Do you go soon?"

"That depends upon you, Ysidora," he replied. "I have come to hear my fate from your lips. You know that I love you dearly; will you be my wife?"

She lifted her eyes, an evasive answer trembling on her lips, but the words were never spoken. The color receded from her face, leaving it pale as death, and Philip sprang forward to catch her in his arms as she reeled a little back, thinking her about to faint. "Ysidora, dearest," he cried, "are you ill? Have I startled you? Do not tremble so, my darling."

More along the same line he would have said, no doubt, but that a heavy hand on his shoulder caused him to turn, as a deep voice, close in his ear, hissed, "*Separese V., señor! Yo dueño de la señorita! Yo sos tengo mio derecho!*" (Stand off, sir! The young lady belongs to me. I will maintain my *rights*.)

The speaker, evidently a Spaniard, looked very fiercely

at his rival from over a pair of big mustachios as he took his place beside the girl with a certain air of proprietorship.

Philip understood the stranger's words, and his heart almost stood still as his eyes fell on Ysidora, whose agitation seemed to confirm them. But he would have no misunderstandings, and turning to her, said appealingly, "Ysidora, what claim has this man upon you?"

"Oh, Philip," she cried; "forgive me! I am his betrothed wife. I will be your friend, always — your sister — "

But Philip had fled, with the word *sister* ringing in his ears, as though hurled after him by Nemesis.

He sprang upon his half-broken broncho, and giving the impatient creature rein, away it sped like the wind.

The rain began to fall, the wind from the ocean to grow cold, yet he rode on and on until, at night, when he came in, drenched and chilled, the glowing fire and steaming punch kept ready for him by his chum were long in warming him.

But as the evening wore on, Charlie's silent, sympathetic attentions, in connection with some soothing cigars and the genial blaze, touched his heart, and he lightened its burden by rehearsing the events of the afternoon.

"Have you any idea who the Spanish claimant is?" asked Charlie.

"Not the least in the world. If he had dropped from the moon, I could not have been more astonished," replied Philip.

"Well," said Wild, philosophically; "it does n't matter. Whoever he is, he certainly has a prior claim to the lady; so there is nothing left for you, Phil, but to do as he said, and 'stand aside.'"

A knock at their door interrupted them.

"A visitor at this late hour," said Charlie. "A plague upon him!"

L. of C.

"Ah, Don Señor Ruiz!" and the Don was bowing with the ceremonious grace peculiar to his race.

Both young men instinctively divined his errand, and were in no way surprised when he handed Philip a card bearing the name of Count Tomaso de Oliva, who demanded *satisfaccion*.

"Wants satisfaction, does he?" remarked Wild. It seems to me that he ought to be perfectly satisfied; he has the girl." Then, *sotto voce*, he added, "After a few months with her, he may long for *satisfaccion* more than now."

At this, Don Señor de Ruiz grew impatient. "Ah, bah!" he cried. "Dese Americanos know not el duelo! You respond not to me. You comprehen' not."

"Begging your pardon, Don Señor, but here is one Americano who is more than willing to give your compatriot all the satisfaction he desires. Arrange this thing, Charlie," said Philip, lighting a fresh cigar as he left the room.

There being no alternative, Wild, in accordance with his right as second of the challenged party, named time, place, and weapons,—"Daybreak, under the two palms, and pistols, at twenty paces."

The Spanish Don, however, protested against the weapons, insisting upon swords, but Wild stood firm, and gave the Don his own fine "Colt," much to the latter's disgust, who eyed it askance, muttering, "*Pistolas!* Caramba!" and bowed himself off with as good grace as possible.

Daylight found all parties promptly on the spot. Wild was pale and thoughtful. He had spent the night pacing the long veranda, his mind filled with forebodings for his friend. Philip, on the contrary, seemed in excellent condition, having slept soundly, despite his wounded heart.

The long, exhausting ride had been a safety-valve, by

which he had thrown off the gloom that would naturally follow his disappointment, and the prospect of a duel had acted as a healthy stimulant.

It all had been so sudden. Twenty-four hours before, and he had not dreamed of the existence of the man who now stood ready to take his life for an unintentional injury.

Philip looked attentively at his rival, and vaguely wondered if his death would cause her pain, and Don Señor Tomaso glared back at him so fiercely, that Philip could scarcely suppress a smile.

"Pshaw! Charlie," he said; "I am not going to kill that little man; I shall just forfeit my reputation as a crack shot, and only take a chip from him, so that he may not forget the occasion. I do not want his blue blood."

"He is fairly thirsting for yours, though, Philip, and will show you no mercy," replied Wild. "This is no joking matter. He forced the fight on you, and you are merely acting in self-defense; so, do your duty, and shoot true."

A few moments and the men stood facing each other, pistols in hand.

"One, two, three,—fire!"

Philip's left arm hung limp, broken above the elbow.

"A close call that," said Charlie, as the attending surgeon hastily prepared a temporary sling, "and satisfaction enough, I hope, for his outraged feelings."

But not so, it appeared. True to his intention, Philip had shot away a good-sized chip from his rival's ear, and the little Count was furious. He considered it a personal insult.

"Better death than ignominious mutilation," he said, and hotly demanded another shot.

"He can have it," answered Wild; "but not at the

same target. Tell him I'll take off his classical nose and have it mounted in silver as a bridal present. Quick, now, Señor de Ruiz; get him in position and give the word!"

"Hush, Charlie," said Philip, "and give me the pistol. This is *my* fight, and I'll have no one interfering."

Wild protested vigorously, but Philip was resolute, and again the rivals were in position.

Once more the signal was given, and the shots rang out upon the morning air.

"My God!" cried Wild, springing forward just in time to catch his friend, who reeled backward and fell unconscious in his arms; "that Spanish villain has murdered him. See to him, Doctor, for a moment, and I will have revenge!"

"Be calm, Mr. Wild, as you value your friend's life," replied the surgeon, who had been hastily examining the wounded man. "The wound is serious, but not necessarily fatal. We must get him to his room as quickly as possible; then with careful nursing, his youth and a good constitution may pull him through."

Contrary to their hopes, however, a fever set in, and for many days the weird sister held ready her shears. But at last he came back from a world of phantoms to a world of realities. His first question was of Ysidora. "Had she sent to inquire? Had she—"

"Hush, Philip," said his friend, gently. "Forget that girl, for she has been closed out of your life. She sailed for Spain with her fierce little Count, two weeks ago. My boy, she was simply an instrument of the Almighty to show you your true self, and awaken in you a desire for a life of nobler purposes. I presume you will worry for a while, but that, too, may be a part of God's purgative plan, and—"

"Oh, Charlie, please don't preach," said Philip, pathetically; "at least, not *now*."

"Of course not, Phil; I did n't mean to," replied Wild.

"You do not need a preacher, but in a few days you will need a judicious cook, if there is any truth in the strange tales they tell of appetites that follow fevers. Don't talk,—not a word,—but just lie quiet and listen, while I 'a tale unfold.' We are going away from here the moment you are able to get out of that bed. I have already secured an outfit from a Mormon immigrant. The out-of-door life will do more for you than any doctor can; so we will 'throw physic to the dogs.' Everything in the outfit is complete, even to the thick woolen mattress that will comfort your bones. Now you know all there is to tell; so drink this nice broth,—I made it myself,—and go to sleep, and when you wake up you will be a new man."

As Philip drained the last drop and obediently closed his eyes, Wild lowered the red calico curtain across the little grated square that answered for a window, and went softly out, muttering, "Of course he will be a new man, because, like that sensible fellow in 'As You Like It,' I, too, 'will take it upon myself to wash his heart as clean and sound as a sheep's liver, so that there shall not be one spot of love upon it.'"

CHAPTER XIV.

"But now they are over, over,
The madness, the folly, the pain;
In the calm of my life and its future,
Your face shall not vex me again."

BIRCH ARNOLD.

THE trip was like a holiday excursion. Wild's gun and rod supplied them with luxuries that a king might have envied, while the genial sunshine and the ozone-laden breezes made each hour delightful.

Wild also had managed to obtain from some Mormon immigrants two well-worn books with which to wile away the time,—one, "The Adventures of Don Quixote," and the other, a volume of poems of "The-heart-that-has-truly-loved-never-forgets" and "Go,-deceiver,-go" style. They were simply found by chance, yet he smiled to himself as he looked them over. It was one of his theories, that in such cases as Philip's, like would cure like. On this homeopathic principle, he read, day after day, with unflagging zeal, as they jogged along, the doleful lamentations, set to rhyme, of blighted affection, until Philip, fairly surfeited, would close his eyes and feign sleep.

Then came Don Quixote, and by the time the last chapter was finished, Charlie congratulated himself upon his success as a love-doctor.

Wild was one of those rare men in whom dignity is inborn, — a true dignity, of which he himself was unconscious, but which manifested itself in the calm eye, the even, low-toned voice, and the absence of hasty and impulsive actions. Such dignity can never be imitated or acquired. All that he said or did was accompanied by a serious earnestness that raised him above any suspicion of an ulterior motive. Volatile Philip admired

greatly these qualities, so antipodal to his own nature, and yielded readily when his friend was set in a purpose, as was the case in the present instance.

By the time they reached Monterey, and letters from Philip's father told him that the Canadas and the Carews had emigrated to California, and would undoubtedly have reached there before the letter, he forgot everything else in the thought of finding them. The days since he left Waxhaw seemed "to roll themselves together as a scroll." His heart went leaping across them, as in imagination he greeted his old friends and his dear little sweetheart. Instinctively his hand sought the chain to which she had so confidingly attached the tiny charm, — but it was gone!

Wild, noticing the action, and divining the pang of remorse that wrung his heart, said, consolingly, "Let bygones be bygones, my boy. What is done cannot be undone, you know, and Time remedies all things. If Agnes Carew is in California, we will find her. We had better go straight to San Francisco, and failing there, we can try the upper country towards Sutter's. I have heard that a good many immigrants have lately come in there."

Acting on this plan, early in January, 1848, they found themselves at Sonoma, and in the very midst of the excitement caused by Marshall's wonderful discovery.

GOLD! The magic of the word set their brains awhirl. Even stoical Charlie felt his blood bound more quickly as he listened to the rumors that flew thick and fast, and, under the enchantment, the quest for their Missouri friends became a secondary consideration. They hastened to Coloma, and, like hundreds of others, began their search beneath the hillsides, valleys, and river beds for an Aladdin's cave.

What a life it was! Never had they dreamed of any-

thing like it. To-day, the wealth of Crœsus seemed within their grasp; to-morrow, it had eluded them.

Then the wild rushes, often made at night, along trails where a misstep meant death! The indescribable delight of finding a crevice or a pocket in which lay a hatful of shining nuggets! O, the charm of the free and independent life among men who made their own laws and manners! The activity, the animation, the bustle, seen everywhere, which formed so pleasing a contrast to the *dolce far niente* existence so recently led, seemed to infuse new blood into their veins.

The very earth was being turned inside out, so to speak, so vigorously was it being attacked by the jovial, determined miners, who laughed at the obstacles nature had interposed to guard her treasures.

They defied the blistering sun, or stood all day, waist-deep, in ice-cold water, that rushed from the summits of the snowy Sierras. Some were panning out nuggets on the banks of a stream; some, like sextons, were delving in grave-like holes; some with drills were preparing to blast huge bowlders, while others with trowels were searching under banks and the roots of trees for the precious "stuff," the finding of which was the one animating thought of all.

Our two young Missourians followed Fortune with varying success at Spanish Bar, at Ford's Bar, and, later on, at Hangtown.

With only a pan, a rocker, or a long-tom, they often averaged from two to eight ounces a day, but this, even with an occasional pocket or crevice, was far from satisfying them, since many were reckoning their gains by pounds instead of ounces. The spirit of restlessness was everywhere rampant, and pay-dirt was often left for a rush to newer diggings with richer prospects.

One day it fell in Philip's way to do a kindness to a

stranger, and on this small pivot their wheel of fortune turned. The man was a trapper from the Bear River country, and was forming a party of a favored few to return with him and explore its cañons, for mines of fabulous richness were believed to exist there, since the Indians from that section always had full purses of gold nuggets, which they freely exchanged for the white man's commodities.

The trapper made no secret of the dangers that might await them in this unexplored region, where hostile savages were apt to resent their presence; but the mountains were seamed with gold, — their fortunes lay waiting for them, beneath some huge bowlder; and with such alluring prospects, what cared they for any risks?

So their donkeys were packed, and with hopeful hearts they set out with the bold trapper and his party. Their route lay along dangerous trails, that wound up the sides and over the summits of precipitous mountains, where, in places, their animals had to be lifted or lowered by means of ropes, but, all-undaunted, they kept steadily on their way, each day taking them deeper into wild fastnesses, where civilized man hitherto had not set foot, unless some bold, hardy frontiersman like their leader.

Still, the trip was not without its charms, for, besides its novelty, and the excitement of stalking an occasional deer, or a brush, now and then, with a grizzly, the pleasant spring had clothed the hillsides and valleys with gorgeous flowers, and they were safe from the discomforts of winter storms.

At last, one afternoon, they entered a rocky gorge which nature seemed to have fashioned in her wildest mood. Thousands of feet above them rose the precipitous mountain-sides, shaggy with their growth of pines, live-oaks, and chaparral, from among which rose huge

bowlders smoothed by ancient glaciers and piled "like Pelion on Ossa."

The silence of the mighty solitude was broken only by the sighing or moaning of the wind as it swept up the cañon, and mingled its monotones with the brawling of the river, that, foaming with wrath, fought its way over masses of black, obstructing rocks, to glide onward with glassy smoothness among the shadows, and pour its cool waters into the Feather.

They pitched their camp high up among the cliffs, where, by a fortunate chance, they found a cave, which afforded them a comfortable shelter, and which, in honor of the two Missourians, they called "Lop-ear Retreat."

Across the front of this classical camp they soon built a wall of rock, thus converting it into a stronghold, behind which they could hold at bay any band of Indians that might chance to attack them; at least, they felt sure of being able to do so.

And here it was, in this wild, romantic spot, that our two Missourians threw down the gage to Fortune, and began in deadly earnest their quest for her hoarded treasures.

And such a quest! No pen can depict the fascinating madness of it! Each day bore its own eventful history, —a pocket here, a crevice there, in which nature, like some savage captain, had stored uncoined treasures, was found and emptied. From the beds of mountain torrents they gathered nuggets varying in size from beans and peas to beauties that ranged from five to ten thousand dollars each.[1]

[1] Lest this statement should appear an exaggeration, the reader is referred to authenticated facts in regard to the wonderful value of many nuggets found in California. For instance, one, in 1860, at Monumental Quartz Mines, at the Sierra Buttes, that weighed 133 pounds troy. In 1858, one was found by Mr. Strain, a half-mile east of Columbia, in Tuolumne County, on a trail, worth over eight thousand five hundred dollars, and another at Carson Hill, Calaveras County, worth over forty-three thousand dollars. The number could be lengthened indefinitely.

What wonder that the summer passed away like a golden dream, and ere they realized it the shortened days, chilly nights, and even a slight fall of snow, warned them that their Eldorado must for the time be abandoned. Besides, their provisions were running low, and the Indians becoming demonstrative.

Already, one of their party—a jovial Irish lad—had been shot from ambush, and two of their mules stolen.

Therefore it was decided to go without further delay to the settlements for the winter, and return with a stronger force in the spring.

They had already accumulated such quantities of dust and nuggets, that its transportation over the rough and dangerous trails became a serious question, especially as the country was infested by bands of robbers, who attacked returning miners, robbing and plundering them without mercy.

To guard against these marauders, our two Missourians sewed into their clothing a much gold as they could conveniently carry, and secured the rest in the lining of the pack-saddle of the little donkey that carried the pots, pans, and lighter utensils of their outfit. On the other animal they packed their blankets, etc., together with the leather saddle-bags, supposed to contain their treasure. By this subterfuge it was saved, for on the second day out, as they were passing through a narrow defile, a party of horsemen suddenly dashed from their place of concealment, and, blocking the way, began a furious onslaught.

They outnumbered the miners two to one, and while part of these desperadoes did the fighting, the others busied themselves by securing the pack-animals and making off with them to their mountain fastnesses.

Seeing their tactics, as a blind, Wild placed himself resolutely in front of the mule that bore his empty sad-

dle-bags, and held his two assailants at bay, while Philip, who had been walking leisurely in the rear, leading his treasure-laden little donkey, left it behind a clump of manzanita to crop the bunch-grass growing there, and hastened to his friend's assistance, just in time to strike up the arm of Three-fingered Jack, and send the ball intended for Charlie's heart, spinning upward into the air.

At the same moment a lariat whizzed by them, closed quickly around their mule's neck, and, an instant later, he was galloping away beside his captor, and was soon lost to view.

The attacking party now, of a sudden, ceased firing, wheeled their horses, and left the road clear.

Pursuit was useless; so, having "gathered themselves up," as they expressed it, buried their two murdered comrades, and placed the three who were wounded on litters, they went forward on their journey, cursing the evil luck which lost them their precious gold, and vowing vengeance on the villains who had robbed them of it.

Our two Missourians wisely kept the secret of their meek little donkey's pack-saddle; although, later on, when they had reached Sutter's in safety, and had transferred their belongings to the little river packet on which they had taken passage to San Francisco, Philip said with a sigh of relief, "Thank heaven, we are rid of that donkey. Why, do you know, Charlie, that every time I looked at the creature, he put on an expression of superior wisdom, and winked at me; and whenever he brayed, I trembled, lest, like his ancient ancestor, he should find human speech, and betray us."

At San Francisco they learned, through a mutual acquaintance, that the Canadas, with Agnes in charge, had sailed for the East some months before, and having no wish to remain in California longer, they determined to follow without delay.

CHAPTER XV.

"Westward the star of empire takes its way."

They could scarcely credit the marvelous growth of San Francisco during the year of their absence in the mines; for the little village of two thousand inhabitants now numbered twenty thousand. Everywhere was bustle and activity. People of all nationalities, many still wearing their native costumes, were hurrying to and fro along the muddy thoroughfares, for, owing to the continuous rains, the so-called streets were in a deplorable condition.

They found comfortable quarters at the City Hotel, a story-and-a-half adobe, on the southeast corner of Portsmouth Square, and waited impatiently enough for the arrival of *The Oregon*, one of the three Pacific Mail steamships making regular trips between Panama and Astoria. At last the signal on Telegraph Hill announced its arrival, and they lost no time in securing passage and transferring their belongings on board. It was Christmas Eve, and all being ready for their departure the next morning, they decided to take a last look at the wonderful mushroom city, little dreaming that, instead of being "merely lookers-on in Venice," they were to be the chief actors in a scene wherein their lives would hang, so to speak, by a hair.

Briefly stated, the circumstances were as follows. A well-known merchant of the city had been assaulted and left in a dying condition. Shortly before the attack, two men had been seen to enter his store. All evidence pointed to them as the assailants. One of these men bore a striking resemblance to Philip, and upon the strength of this, both he and Wild were arrested.

Their life in the mines, where many an innocent victim had met death at the hands of demented mobs, made them understand the peril of their position, and that their protestations against the outrage offered them would be worse than useless. They were hurried to the old adobe on the Plaza, which was used as a jail, followed by an angry mob, pouring in from every direction and clamoring for their blood.

"Hang them!" "Lynch them!" "No justice in the law!" "Judges and juries in with the criminals!" and like expressions, were heard on all sides, mingled with angry imprecations and bitter oaths.

The efforts of the police, aided by the Washington Guards, at last succeeded in landing them behind the closed doors of the jail, while Mayor Geary and the more conservative leaders addressed the turbulent crowd, from whom they finally obtained a reluctant consent that a judge and jury might be appointed, before whom the prisoners should be tried without delay, the result being final. Meantime, while the committee was at work securing the "twelve good men and true," who could be trusted with the interest of the public welfare, our two unfortunate Missourians were holding an anxious consultation with the generous young attorney, Hall McAllister, who had volunteered to defend them.

"It is, of course, simply a case of mistaken identity," said the lawyer, "and, were it not for that howling mob outside, in a short time we could find evidence enough to have the case dismissed before any intelligent jury. But listen! there lies your danger; for Sam Brannan is speaking."

The noise outside had ceased, and the voice of the big Mormon reached them. "Fie upon the laws of such a Gomorrah! The people are but the tools of judges and juries! The courts have never hung a single man in

California, yet robbery and murder are rampant everywhere. The lawyers are no better than the criminals. Peter the Great, when in Paris, said that there were but three lawyers in his empire, and that he intended to hang two of them as soon as he went back."

"Let him speak on," said Philip; "for it gains us time, and we must act. But, by the way, you spoke of mistaken identity; for whom do they take us?"

"They think that *you* are one J. O. Payne," replied McAllister, "who is a notorious desperado; and I must say, Lieutenant, that the resemblance is remarkable," not knowing how deeply his listener's vanity was wounded by the words.

"Think of having one's identity mixed with that of a common thief," said Philip, in tones of deep disgust.

"Better think of getting out of this scrape," said Wild. "I suggest that by some means we get ourselves before the assaulted man, if he is still alive, and let him state in the presence of competent witnesses whether or not he has ever seen us before. That, certainly, will simplify matters, since we *know* that he has not."

Acting upon this suggestion, and still under a strong guard, they quietly left the jail by a private entrance, and were taken into the presence of the dying man.

They entered the room with all the confidence of conscious innocence, and reverently approached the bed on which he lay.

He was still alive and conscious, and the weeping friends around him, though loath to disturb his last moments, could not refuse the appeal of the men whose lives hung upon his words.

Taking his nerveless hand, the physician bent over and softly called his name, but there was no response.

"What if they were too late?" This voiceless question the prisoners asked each other in one swift glance.

Again the physician spoke, and the purple lids were lifted.

"Try to think," he said, gently. "You have been badly hurt by two men. Look at these two,—have you ever seen them before?"

A look of terror came into the fast-glazing eyes as the dying man fixed them upon Philip. "Yes," he gasped; "that one—murdered—me. It is Payne!"

This unexpected avowal came like a sudden, deadly blow from an unseen hand in the dark.

Wild bore it calmly, as it was his nature to bear all things, but Philip shrank back against the wall for support, and for a moment the room grew black and swam before him; but by an effort he recovered himself, and in earnest tones said, "Oh, sir, unsay those words. Before God, I never saw you until this moment!"

It was too late. The man was dead.

Matters now seemed worse than before, yet the man's last words, "It is Payne!" left them a loophole of escape. They walked back to the jail in silence, through the darkness, and waited with anxious hearts for the hour of trial, which began at two o'clock, A. M. Even at that hour the court-room was crowded to suffocation.

Philip was the first to be placed in the dock, since, in the character of Payne, the evidence against him would be unanswerable.

As he sat there, with bloodthirsty tigers glaring at him from hundreds of gleaming eyes, a stranger in a strange land, a sense of utter helplessness and loneliness overwhelmed him, and he scarcely heard the eloquent appeal made by his young attorney in his behalf.

His mind flew back to old Missouri,—to Waxhaw, to the beloved mother and father whom he might never see again. Before him rose the crowd of friends whom he had once regarded with disdain. Then their gentle,

honest faces, so full of kindly feeling for him, so lenient with his faults, faded, and in their places were the angry, threatening ones around him, joining in the cry of "Now's the time! Hang him! Lynch him! Hang the lawyer too!" that Sam Brannan, with the mob at his heels, was shouting through the half-open door, as he tried to fight his way inside. But he was driven back at the point of the bayonet, and once more the trial went on.

The prosecution was conducted with great vigor, the attorney vehemently denouncing the lawlessness rife in the fair land of California. "San Francisco," he said, "is the heart of California, and must be purified, must be purged of this dangerous element, that makes it a blot on the civilized earth. As these criminals have sinned without law, it would be simple justice should they perish without law; and whenever a beam bears the fruit of its loathsome burden, let it be a sign and a warning, since it is only a popular expression of honest men's desire to exterminate crime.

"A good man has been brutally murdered. No time was given *him* to prepare for his awful fate. His blood cries for vengeance!" (A voice, "And he shall have it!") "The tears of his widow and his fatherless children demand justice!"

(Cries of "Justice! justice! Hang the murderers!" etc.)

"Shall these vile wretches go free, to re-enact their outrages?"

(Cries of "No! No! Hang them! String 'em up!"

"Yet," continued the prosecution slowly and with emphasis as he leaned forward and pointed his finger at McAllister,—"yet, my friends and fellow-citizens, there are men who call themselves lawyers ready to defend such wretches! Such a lawyer is father to a thief and a

murderer. *I* cannot understand how any honest man can or would attempt to shield such creatures from their merited punishment!"

This tirade failed in its intended effect of arousing McAllister's wrath, but it thoroughly antagonized the crowd against him, and when the courtly young lawyer arose for the defense, he was received with hisses and cries of "Down with the accomplice! Hang the lawyer too!" etc., but, nothing daunted, he drew himself up to his full height and calmly surveyed the angry crowd.

With a swift, sweeping glance, he brought it within the circle of his strong personal magnetism, and when all was silent, began his simple, concise argument for the defense.

He cited instances in which, to his own personal knowledge, cases of mistaken identity had occurred. He admitted the resemblance between the prisoner and the notorious Payne, but asked for only a little time in which the prisoner could prove his identity, for he was in fact Lieutenant Philip Bee, late of the California Battalion of Mounted Riflemen.

"If in this assemblage," he continued, "there is any man who served in the battalion, let him speak in behalf of the prisoner." A pause, but no voice replied. If any such were present, they evidently were either too indifferent to care, or too much afraid to speak, lest their own lives should be endangered by interfering in behalf of one under the ban of the mob.

So the case went on; witnesses were examined, who swore that, to the best of their belief, the accused was none other than Payne. The counsel for the prosecution was cheered; the counsel for the defense, insulted and hissed, and at last the case rested with the jury.

Meantime the crowd inside were sullen and threatening, the crowd outside, clamorous and vindictive, and

only held in check by the constant appeals of the better class of citizens, who urged patience and assured them of justice.

It was nearly daylight when the jury returned, and the foreman announced the verdict: "The jury has failed to agree."

At this the mob roared like wild beasts, and above the din, cries were heard of "Give us the names of the traitors who voted to set the murderer free! Their names! Who are they? Hang them! Swing them up!" Then, sudden and clear, like a trumpet-call, rang out the one word, "SILENCE!!"

Instantly every tongue was hushed, and every eye was turned in the direction whence it came.

Philip, too, as though awakened from a horrid nightmare, looked and saw, not the angel Gabriel, as he might have expected from the clarion-like command, but a sight far more welcome, for, above the heads of the still silent crowd he saw the towering form of his noble-hearted friend, Doctor Robert Semple. Then the silver tongue of this grand seven-foot-high Kentuckian poured forth volumes of righteous wrath, denouncing a condition of society which made it possible that an innocent man should have to endure such an indignity, and "a man, too, who had helped to raise the grand old Bear Flag at Sonoma, thus inaugurating in this land of the free the high and holy principles of justice which you have this day insulted in the grossest manner."

"If there is a spark of manhood left in your craven breasts," he thundered, "hide your deformed heads whenever the glorious American eagle spreads her balmy wings and —"

"Fire! fire! fire!"

The startling cry rang out on the night, or rather on the early morning air.

"Fire! fire! fire!"

The Doctor's denunciation and the prisoner were alike forgotten. Men were almost trampled to death in their efforts to escape from the building, believing it to be on fire, and, once in the open air, joined the rush towards the raging flames, which, fanned by a strong sea wind, were almost beyond control.

This was the first great San Francisco fire. It destroyed more than a million dollars of her rag palaces and the goods they sheltered.

Thus, by the merest chance, the scales of Fate were turned, and Philip found himself a free man once more.

The next day, the two friends were far out upon the ocean, homeward-bound. As they stood on deck and watched the sun dip down into the under world, Philip quoted softly, "'Unless a man be born again.' Do you know, Charlie, that I now understand those beautiful words for the first time? It seems as though I had cast aside my old self as one does a worn-out garment he has outgrown. Charlie, as I stood in that dock yesterday and listened to those human tigers howling for my blood, there seemed to unroll before me a panorama on which every act of my selfish, purposeless life was depicted, and I marveled how I had ever been able to win and hold the love and confidence of others. But henceforth I shall be worthy of it, for *now*, Charlie, I shall be more like you; now I understand you; now I know what God's thought was when he manifested it in MAN."

CHAPTER XVI.

* * * * * * * *

WHATEVER changes Time brought elsewhere, he left Waxhaw untouched.

Again it is Saturday afternoon, and the stage-coach is, as usual, awaited by the expectant crowd.

"And what does the goose-bone say now, Uncle Jack? Any mo' stawms for March?" inquired Billy Wigs from his seat on an empty goods-box, with Trip curled up, asleep, at his feet.

"No, Billy," replied the weather prophet; "she 's cum in like a lion, an' I reckon she 'll go out like a lam'. Hello! D' ye heah that? What 's Bob Bibb a-givin' that hawn a extry toot for? The stage ain't even in sight on the big road"; and Uncle Jack shaded his eyes with his hand as he looked in that direction. "Tra-la-la-ra-la! Tra-la-a-a-a-ah!" came the mellow notes on the clear, cool air.

Others, too, heard the horn, and wondering what stirring event it meant to herald, betook themselves to the post-office, Major Ben and Uncle Zimri both being among the number.

Therefore it was, that when the coach dashed up, and the four steaming grays were reined in, as Philip sprang out he almost fell into a half-dozen pairs of outstretched arms belonging to old friends, who had recognized him through the little window.

Never had Waxhaw enjoyed a greater surprise. "Home again! home at last! Thank God! thank God!" was the unspoken anthem that rose from his heart of hearts, and mingled with his cheerful greetings.

Even old Billy Wigs seemed near and dear. The grasp of his blotched, unsteady hand, and the sound of his shaky voice muttering, "Gimme a shake. What'll you take?" were no longer disgusting.

Uncle Zimri had no sooner caught sight of Philip than he hastened home with the news.

"Hooray! hooray!" he cried, waving his brimless felt, as he caught sight of his mistress and her niece, who were sitting on the broad veranda. "Hooray for Wax-haw! Hooray for ole Mizzoury! Hooray for everybawdy! Hooray for Mars Phil! He's done come home!"

Cousin Melvina paused in the midst of "setting" a heel in the sock she was knitting, and Agnes closed "The Life of John Calvin," from which she had been reading aloud.

"What ails you, Zim? Air you plum crazy?" asked his mistress.

"Yes'm; I most shorely is; jess as crazy as er June bug, lak de res' ob de town. 'T ain't ebbery day dat Mars Phil gits bahk f'm Californy."

"Phil Bee home again!" exclaimed Cousin Melvina, who had lost Zim's last hooray.

"Dat's what de hawn was blowin' for, ole Miss. Dee jess fairly eatin' him up, an' I reckon his maw won't git a chance at him till mawnin'!"

"His mother,—yes; we must think of her," said Agnes. "She is not strong,—you had better go and prepare her, Uncle Zim. Break the news to her gently, and none of your 'hoorays,' remember."

But the home-coming of their son was no surprise to his parents. He had promised to come back in two years. He had long been overdue, and was daily expected. A fire had been kept in his room all winter, and Tom, his own especial "boy," had put on a stout hickory backlog every morning, saying, "Specks Mars Phil will

be mighty cole in dis country, arter libbin' in Californy."

So Philip found the place that he had left vacant in the ingleside waiting for him to fill, and fill it he did as never before, for never before had home meant to him what it meant now.

As the old darky, full of the importance of his errand, had shambled off, Mrs. Canada said, "Well, well! So Phil Bee has come home again! Agnes, honey, what air you goin' to do about it?"

Agnes, divining the full meaning of the question, said, somewhat shyly, "That depends upon Philip, cousin."

"There! That 's jess like you, Aggie. You 're goin' to forgive him, an' take him right back into yore haht again. I knowed it!"

"He has never been out of my heart, dearest," replied Agnes, softly.

For some moments Mrs. Canada was silent, seemingly intent upon the knitting-needle with which she was securing a stitch that had been dropped. At length, however, the heel was under way, and letting her work lie idle in her lap, said thoughtfully, "Well, honey, I reckon you air right, after all. I don't keer *what* yore Cousin Ben would do, I could n't turn ag'inst him,—no, I jess could n't. It might break my haht, but I could n't turn ag'inst him. He b'longs to me, an' ef he should ever go driftin',—mind, now, honey, he never did, an' never will, but for argyment sake, if he ever *should* go driftin', I 'd jess be so good, an' kind, an' lovin' that I 'd win him back. But I 'd settle with *her*, though,—yes, honey, I 'd settle with *her*."

"Perhaps *she* might suffer also; who knows, dear cousin, what those poor, weak creatures feel?" said Agnes, gently.

"*That* 's goin' too fur, honey. There 's lots of brazen

women who fairly throw themselves at men's heads. I've got no use for them. A woman has jess *got* to hold herself stiddy, else she ain't no better than dirt. Men, pore things, ain't expected to, an' I reckon it warn't intended, an' ef a woman *really loves* a man, she'll forgive him anything."

"Yes, anything," assented Agnes; and in those two words lies the sequel of this story.

* * * * * * * *

"Philip," said Judge Bee, a couple of years later, "the election comes off this fall, and you may as well stand for the House. If you were not too young, we might try for the Senate; but that will come, my son,—that will come; and—who knows?—the President's chair could not be filled by a better man."

Philip smiled. "Don't send me away from home again, daddy," he said, laying his arm affectionately across his father's shoulder; "I only came back yesterday, it seems. Let us wait until the capitol is moved to St. Louis, where it ought to be, and then we will send a better man than your son to represent the interests of Missouri in Congress."

"A better man?" questioned the Judge, incredulously.

"Yes; for it shall be your grandson, Philip Bee, Junior."

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